

**SGM ADVISORY COMMITTEE MEETING**

**January 29, 1998**

## **SGM ADVISORY COMMITTEE MEETING**

**January 29, 1998 — 2:00 p.m.**

**Room 240EW COB**

Welcome

Elder Marlin K. Jensen

Invocation

Elder Richard B. Wirthlin

Agenda:

1. Art and Jan Anderson's report on state-by-state efforts Elder Jensen
2. California proposal from Capitol Resource Institute Elder Lance B. Wickman
3. Hawaii Elder David E. Sorensen
  - Fund raising
  - Referendum status
4. Vermont Elders Wickman and Wirthlin
  - Press release and coalition start-up
  - Legislative strategy
  - Appeal status
5. Canada Elder Jensen
  - Survey
  - Coalition
  - Legal help
6. Alaska Elder Wickman
7. State-by-state legal surveys Professor Lynn Wardle
8. Legal seminars during 1998 Professor Wardle
9. Other issues and concerns All
10. Next meeting

Benediction

**SGM REPORT - JANUARY 26, 1998****1. States with contacts in place and at work:**

Alabama.....	Bruce and Deborah Smith
California.....	Bill Campbell
Colorado.....	George Dibble
Iowa.....	Robert K. Wagstaff
Kentucky.....	Chris Wakild
Maryland.....	Thomas Ladd
Massachusetts.....	Mark Rosbach
Nebraska.....	Robert Y. Valentine
New Hampshire.....	Jill Hadaway
New Jersey.....	Gary Carter
* New York.....	Michael Young
Ohio.....	Judy Keyees
Vermont.....	Mary Schroyer
Washington.....	Perrin Walker
West Virginia.....	Mark Atkinson
Wisconsin.....	Frances Staub

**2. States where Legislature does not meet in 1998 or where only budget matters are considered:**

Connecticut.....	Joseph Cook
Louisiana.....	Stephen Cutler
New Mexico.....	Bill Sego
Nevada.....	Ashley Hall
Oregon.....	Paul Clayson
Texas.....	Ken Dickensheets
Wyoming.....	Anna Marie Hales

**3. States with no contacts:**

Rhode Island .....(Elder Wood has someone in mind.)

### STATUS UPDATE

( \* indicates new information since Jan. 8 report)

**Alabama:** Legislature convened Jan. 13.

\* After attending the temple and talking the issue over, the Smiths decided to arrange a meeting with Dan Ireland (Baptist lobbyist/minister) before proceeding further. They hope to meet with him before Jan. 31. He is very well versed on the SGM issue and with the legislators and the legislative process. The Smiths feel that perhaps the best thing will be to give key support to more broad leadership in getting anti-SGM legislation passed. ---They asked a number of questions about how to get the support of members; how to raise funds, how to refer to themselves as they work with others etc. Art answered their questions and we hope to hear back by the end of the week.

**California:** Bill Campbell reports that the California legislators don't intend to do anything on the SGM issue until at least after the election results in Hawaii are on record this fall. If the constitution change fails, he doesn't think California legislators will do anything--just let SGM happen. If Hawaii makes the constitution change there may be a possibility of passing some legislation.

**Colorado:** The General Assembly convened Jan. 7.

Bro. Dibble will let us know what he thinks about the situation now. In Sept., Gov. Romer appointed a 16-member Commission on the Rights and Responsibilities of Same-Sex Relationships which will write a bill which Bro. Dibble says will not likely be satisfactory to the Legislature since the Commission is loaded with people sympathetic to SGM or domestic partnerships. The Commission was supposed to have its report ready by March 1, but is barely beyond the organizational stage. It is headed by Bishop William J. Winterroud of the Episcopal Diocese of Colorado. Catholic Archbishop Charles J. Chaput is one of the members of the Commission. Commission meetings are scheduled for Jan. 8 and Feb. 24, and a public hearing is scheduled for March 4.

**Connecticut:** \* Dr. Joseph Cook reinforced his original opinion that an attempt to pass anti-SGM legislation in Conn. should wait until the 1999 session. The Speaker of the House, who is a liberal, has announced his intention of stepping down after the current session. Barring the unexpected, the current House Majority Leader will become the Speaker in 1999 and has the reputation of being more conservative. Dr. Cook is waiting to do the survey until next year because there will be so many changes

in the legislature. He is monitoring the situation and will alert us if any legislation is proposed in the current session.

**Iowa:** Legislature convened Jan. 12.

\*Bob Wagstaff has visited with the chairman of both the Senate and House Judiciary Committees. They are both Republican and both houses are predominately Republican and want an anti-SGM bill passed. They think it will be a vote-getter for the 1998 elections.

We sent the proposed bill, HF 382, to Lynn Wardle for analysis and suggestions. Lynn and Eric Andersen reviewed it and both feel the bill will "probably do the job." They feel it could be clearer in some respects however, and sent some alternative language. Their recommendations were forwarded to Bob Wagstaff Jan 21.

Bob has a call to be a mission president starting July 1.

**Kentucky:** Legislature convened Jan. 6. Session continues for 60 calendar days.

Lynn Wardle's review of the two pre-filed bills and his recommendations were sent to Chris Wakild. Lynn felt the bills are very adequate, but made several suggestions to improve them. We suggested that Bro. Wakild either join an existing coalition or organize one.

Bro. Wakild has contacted Jane Childs who was recommended by his Catholic contact. Jane is very knowledgeable about lobbying. Together they decided that, at least for now, they will meet with legislators quietly rather than form a coalition.

Bro. Wakild sent a "guesstimate" of how the Kentucky Senate would vote on the SSM issue. It was provided by his LDS friend who is the Sen. Minority leader. 22 Senators would vote for an anti-SGM bill; 2 for a SGM bill; 13 are either undecided or would not reveal their position. - Rep. James Bruce, the sponsor of one of the pre-filed bills, advised Bro. Wakild not to poll the House. Rep. Bruce says he has enough votes to get his bill out of committee and thinks it has a good chance of passing. He feels that polling the House would alert the opposition and give them time to better prepare.

**Maryland:** Legislature convened Jan. 14 and remains in session for three months.

Tom Ladd is checking with the legislator who presented the anti-SGM bill in '97

to see if he plans to present it again in '98. Survey is in progress. He sees no need for a coalition until survey is in and legislator decides if he will present a bill.

**Massachusetts:** Legislature convened Jan. 14.

Mark Rosbach was sent the survey kit on Dec. 5 and he has agreed to do the survey.

**Nebraska:** Legislature convened Jan. 7. (This is a short session.)

Robert Valentine has been waiting to see if Sen. Douglas Christensen would be elected Speaker of the unicameral legislature. He was elected the first day of the session which means that LB280 is likely to move forward. If Sen. Landis had been elected, he likely would have kept the bill off the agenda.

**New Hampshire:** Legislature convened Jan. 7.

Lynn Wardle's analysis of the existing NH law has been sent to Jill Hadaway. His recommendation is that the law be amended to clarify that SGM from other jurisdictions will not be recognized. Lynn feels a more specific law is needed "because the existing statutes are vulnerable to misuse by advocates of SGM."

We suggested that Jill work toward organizing a coalition. She agreed there is a definite need for one and is now working on it.

**New Jersey:** Legislature convened Jan. 13.

Pres. Gary Carter has felt that a new bill and a new sponsor are needed for 1998. Lynn Wardle was asked to formulate a bill. Lynn feels A2193 is very adequate, but he did suggest three alternative wordings which were sent to Pres. Carter on Dec. 29. He will find a sponsor and they will decide what to do about the wording. - Lynn is also working on a review of NJ statutes and case law which we will send to Pres. Carter.

**New York:** Legislature convened Jan. 7.

\* A short conversation was held with Michael Young, the new contact in New York, before he left for a trip to Hawaii. The survey kit was mailed to him and further discussion will be held when Bro. Young returns Feb. 2.

**Ohio:** Legislature convened Jan. 5.

Judy Keyes reports that the feeling in the Ohio Legislature is that the anti-SGM issue isn't urgent and isn't likely to be brought up soon. Most legislators feel a bill isn't necessary. However, in the House, 70 of the 90 members are against SGM but there isn't unity on whether a bill is needed.

A review of the current Ohio law confirms that a new law probably isn't necessary, but the "other jurisdictions" clause could be strengthened. Rep. Hottinger, who introduced the bill last year, still plans to try to move a bill out of committee.

**Rhode Is.** Legislature convened Jan. 6

Elder Robert Wood called to report he has a new contact in mind and will let us know when she has been called and has reviewed all the material the former RI contact, Evelyn Morrison, has prepared.

**Vermont:** Legislature convened Jan. 8. Crossover date is Feb. 10.

\*The coalition will hold a press conference in the next two weeks to announce its formation. At the same time, it will release the results of the poll prepared by Elder Wirthlin and done by California firm. (The poll found that a majority of Vermont residents do not want SGM. The proportion of disapproval was lower in Vermont than in California and Hawaii, but still large enough to do well if this issue goes to the vote of the people.)

The bill prohibiting SGM (H182) is in the Judicial Committee and the coalition has been advised to leave it there to die, and take up the issue anew in the 1999 session. The coalition will work at educating the public and prepare for next year's session when the course of action will be clear, depending on the outcome of the appeal of the same gender couple's case which was dismissed in trial court. The goal at present in Vermont is to win the appeal in the state Supreme Court.

Mary Schroyer spoke to the High Council in Pres. Baldwin's stake on Jan. 22. He asked her to come back this week and speak to the Stake Presidency and Bishophrics. She feels these meetings are giving her a good opportunity to educate Church leaders.

Lynn Wardle's analysis on the current law in Vermont was sent to Mary and to Tom McCormick.

**Washington:** Legislature convened Jan. 12.

\*The Area Presidency sent a letter to all Stake Presidents, Bishops, and Branch Presidents in Washington to be read in Priesthood and Relief Society Meetings on Jan. 25, 1998. The letter encouraged Church members to write or call their legislators and urge them to pass HB 1130 which will be introduced as a referendum in the 1998 session. The letter also advised the leaders and members in Washington that Perrin Walker has been called to coordinate efforts on this issue.

The governors secretary reports that the governor has not changed his views on an anti-SGM bill and would likely veto it. Nevertheless, he is encouraging Rep. Thompson to go ahead with the presentation of a bill. Perrin thinks it will pass. The success of the effort will then hinge on putting enough pressure on the governor that he will not veto. For this reason it was important that the Stake Presidents be alerted to get the members ready to act. Because this is a short session, the bill must succeed on the first push and having the "citizens" ready to act on short notice is very important.

The informal group of supporters for 1998 DOMA in Washington with whom Perrin has been working is not inclined to form a formal coalition. All agreed however, that major denominational supporters of DOMA should be requested to endorse the measure, and that congregational endorsements from across the state would also be helpful so that the legislature, the Governor, and also the public would be able to see the broad, grass-roots support of the measure. They have written "An Affirmation of Marriage" statement which groups and individuals will be asked to sign and send to their legislators.

**West Virginia:** Legislature convened Jan. 20.

On Dec. 29, Mark Atkinson reported that Rep. Steve Harrison will present a new bill in the House this session. (A bill passed both Houses last year and was voted down after it was included in other legislation.) Mark thinks prospects are good for this new bill to pass if it can get out of committee.

Mark also reported that there is a rumor that the chairman of the Senate Judiciary Committee might hold up an anti-SGM bill. So he is organizing a pressure group to call on the chairman to urge him to move the bill along.



1-26-1998 4:58PM

FROM ARTHUR S ANDERSON 801 582 2971

P. 8

**Wisconsin:** Legislature convenes in late April.

Frances Staub reports that the Senate Judiciary Committee Chairman who held the bill up last year has resigned. The new chairman is a conservative and more likely to let the bill come out of committee. (The bill overwhelmingly passed the Assembly in May 1997 - 78-20. It has until the end of this session to pass the Senate.)

A special election is scheduled for April 7 to elect a new senator. Chances are good that a Republican will be elected and create a 17-16 majority in the Senate. Frances will organize letters and calls to the new chairman and to a new woman Senator who has been appointed to the committee. She replaced a Democrat who was very against our cause. Things are looking up.



# Facsimile Transmission Cover Sheet

Name: Loren Dunn Date: 1/30/98  
Company: LDS Church Time: \_\_\_\_\_  
Fax Number: 801-240-3751  
Number of Pages (Including This Sheet): 3  
From: Randy Thomasson

If you have any trouble receiving any pages in this transmission please contact us at  
916/498-1940. Our number for automatic facsimile reception is:

916/448-2888

Please note the following: \_\_\_\_\_

Please forward to Loren Dunn  
ASAP.

1414 K Street,  
Suite 200  
Sacramento, CA  
95814

(916) 498-1940  
Phone  
(916) 448-2888  
Fax

## SGM REPORT -MAY 21, 1998

### 1. States where anti-SGM legislation has been passed in 1998:

Alabama.....passed Apr. 27, 1998 (signed by Gov. May 1, 1998)  
Iowa.....passed Apr. 7, 1998 (signed by Gov. Apr. 15, 1998)  
Kentucky.....passed Mar. 12, 1998 (signed by Gov. Apr. 2, 1998)  
Washington.....passed (signed by Gov. Feb. 6, 1998)

### 2. States where anti-SGM legislation has been defeated in 1998:

Maryland.....Senate passed bill; House did not (Apr. 11, 1998)  
West Virginia.....House passed bill; Senate did not. Legislature adjourned

### 3. States where anti-SGM legislation was introduced, but did not get out of committee:

Colorado.....Bill was withdrawn in committee April 30.  
Nebraska.....Unicameral legislature did not vote on bill before adjourning.  
Wisconsin.....Special session ended without bill being calendared.

### 4. States with contacts in place and Legislatures still in session:

California.....Bill Campbell  
Massachusetts.....Mark Rosbach  
New Hampshire.....Jill Hadaway and Pres. David Ostler  
New Jersey.....Gary Carter  
New York.....Michael Young  
Ohio.....Judy Keyes  
Rhode Island.....Mary Ann Kohl  
Vermont.....Mary Schroyer

### 5. States where Legislature does not meet in 1998 or where only budget matters are considered:

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

### 5. Other states where there are concerns:

Alaska.....

## STATUS UPDATE

**Alaska:** SJR42, the proposed constitutional amendment to prevent Alaska courts from forcing the state to recognize SGM, was approved in the Senate April 16 with the exact 2/3rds majority (14-6) required to make a constitutional amendment. It then passed the House 18-12, one vote over the needed 27. This means the amendment will be on the ballot on Nov. 3, 1998.

### California:

**Massachusetts:** No bills, either for or against SGM, have been introduced in the Mass. Legislature this session. Legislature is still in session.. Our contact, Mark Rosbach has not been actively trying to get a bill introduced. He does not seem to know how to go about it, even with our suggestions. Perhaps we need a change here.

**New Hampshire:** Pres. David Ostler reports this week that he and Bishop Bryson Cook in the Concord Stake have met with a lobbyist member of the Church (Brad Cook who is working at the moment free of charge) and Monsignor Bulduc. Brad Cook is next going to meet with the Donna Sytek, the Senate Pres. and Majority Leader to lobby for her support and ask her to initiate an anti-SGM bill. Monsignor Bulduc is meeting with the Diocesan Council to finalize the decision for the Catholics to take the lead in this issue, and also with the Council of Churches to ask for support there. If these meetings are successful, they will build the coalition further by getting grass roots support from other organizations such as the Boy Scouts and YMCA etc.

We sent Pres. Ostler some material on the urgency of getting a bill passed.

**New Jersey :** Assembly bill A-706 has been introduced, co-sponsored by Nick Felice with whom our contact, Gary Carter is well acquainted. The bill denies recognition of SSM in New Jersey or from other jurisdictions. It has been referred to the Assembly Senior Issues and Community Services Committee. Gary Carter reports that budget bill and some other matters will have priority on the agenda, but he will attempt to move it up on the calendar. N.J. Legislature remains in session year-around and usually takes a summer recess. Pres. Carter speculates hearings will be in late May or June, but the vote will not be until fall.

**New York:** There are two anti-SGM bills that were introduced in the 1997 Legislature that were not acted upon. The same two were introduced on Jan. 7 this year and referred to the respective Judiciary Committees: S1649 and H158. There has been no action as of May 20, nor has there been any action in the court case.

**Ohio:** Ohio has a law defining marriage as a contract between one man and one woman. They also have extensive case law in place including one involving a transvestite. In every case the courts have ruled in favor of preserving traditional marriage. After our contact in Ohio, Judy Keyees, talked extensively with Edward S. Kasputis, chairman of the House Civil & Commercial Law Committee, he reviewed all of the case law and the Ohio Statutes. He says there is not chance a same-sex marriage would get recognition in Ohio. Lynn Wardle agrees with this analysis in general but says it would strengthen the law to have the "other jurisdictions" clause in the law.

All things considered, we think it would be best to include Ohio in the group of states with the law in place. Judy will watch and report if there is any threat to the existing law.

**Rhode Is.** There has been no further action on the pro-same gender marriage bill that was introduced Feb. 3. The legislative session has been extended to mid-June.

**Vermont:** Mary Schroyer and the coalition in Vermont continues to raise money and to recruit new members so they will have an impressive enrollment to announce to legislators in the fall. They have considerable debt and the money is being volunteered in small amounts. There is very little financial support from local LDS members.

## **Traditional Marriage Coalition**

---

To: Elders Dunn, Wickman, Wirthlin, and Dr. Lynn Wardle

From: Art and Jan Anderson

Elder Jensen suggested today that it might be helpful for the members of the SGM Advisory Committee to have the state-by-state update that we give to him periodically. The attached is the current report.

Arthur S. Anderson  
Traditional Marriage Coalition  
2242 Kensington Ave  
Salt Lake City, UT. 84108

Toll free: (888) 714-8884  
Fax: (801) 582-2971  
E-mail: [ASA77@yescompany.com](mailto:ASA77@yescompany.com)

FEB 13 1998

## SGM REPORT -FEBRUARY 12, 1998

### 1. States where anti-SGM legislation has been passed in 1998:

Washington.....passed Feb. 6, 1998

### 2. States with contacts in place and not work:

Alabama.....Bruce and Deborah Smith  
California.....Bill Campbell  
Colorado.....George Dibble  
Iowa.....Robert K. Wagstaff  
Kentucky.....Chris Wakild  
Maryland.....Thomas Ladd  
Massachusetts.....Mark Rosbach  
Nebraska.....Robert Y. Valentine  
New Hampshire.....Jill Hadaway  
New Jersey.....Gary Carter  
New York.....Michael Young  
Ohio.....Judy Keyees  
Vermont.....Mary Schroyer  
West Virginia.....Mark Atkinson  
Wisconsin.....Frances Staub

### 3. States where Legislature does not meet in 1998 or where only budget matters are considered:

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

### 4. States with no contacts:

Rhode Island .....(Elder Wood has someone in mind.)

## STATUS UPDATE

( \* indicates new information since Jan. 26 report)

**Alabama:** Legislature convened Jan. 13.

- \* After waiting for Rev. Ireland to respond to their offer to assist him in his efforts to get an anti-SGM bill introduced, the Smiths report that they can't afford to wait any longer. He has promised twice to set up a meeting with the sponsor of the bill and hasn't come through. The Smiths have decided to find another route to the bill's sponsor. They have a friend in the House who is going to give them some guidance this week.

**California:** \* Bill Campbell reported this morning that Sen. Pete Knight is going ahead with the legal matters that need to be done in preparation for gathering signatures for an initiative. Bill doesn't think Sen. Knight has enough backing to get the signatures.

Sen. Knight has asked the California Legislative Council (a group of about 200 lawyers who advise the Legislature) for an opinion as to whether California law would mandate recognition of SGM performed in other jurisdictions. That opinion would be important. (Note: Perhaps it would be worth having such an opinion rendered in some of the other 22 states that don't have new laws in place.)

**Colorado:** The General Assembly convened Jan. 7.

- \* George Dibble reported Tues. that the sponsors of the anti-SGM bill are still determined to move the existing bill through and think it will pass again as it has the past two years. Whether the Governor will veto the bill again is the question. Some think he has less credibility now because he is currently in trouble over lying about an affair with a long time female staff member. That may or may not effect his stand on this issue.

**Iowa:** Legislature convened Jan. 12.

We sent the proposed bill, HF 382, to Lynn Wardle for analysis and suggestions. Lynn and Eric Andersen reviewed it and both feel the bill will "probably do the job." They feel it could be clearer in some respects however, and sent some alternative language. Their recommendations were forwarded to Bob Wagstaff Jan 21.



- \* Bob Wagstaff reported Tues that the bill is ready to present, but they are waiting for the right timing. The House, Senate, and Governor are all Republican and all want the bill passed so they can use "we protected families" as a campaign issue in the fall.

Bob has a call to be a mission president starting July 1.

**Kentucky:** Legislature convened Jan. 6. Session continues for 60 calendar days.

- \* Chris Wakild reports that a hearing is scheduled before the House Judiciary Committee on Thursday Feb. 19 on HB-11 and HB-13. One bill is Democrat-sponsored and the other is Republican-sponsored. Either bill is acceptable and there may be reason to use the Democrat version since the House has a Democrat majority. Chris Wakild is notifying all of the stake presidents and asking them to have 15 people in each ward call the members of the Judiciary Committee telling them they have an interest in seeing that this bill is passed out of committee for a vote. This is good news because Chris was being told by his contact in the House as well as in the Senate that he should lay low and not stir up any controversy. He feared they would lay low until it is too late to get the bill out of committee.

**Maryland:** Legislature convened Jan. 14 and remains in session for three months.

Tom Ladd is checking with the legislator who presented the anti-SGM bill in '97 to see if he plans to present it again in '98. Survey is in progress. He sees no need for a coalition until survey is in and legislator decides if he will present a bill. (Bro. Ladd has not been available all week for an update.)

**Massachusetts:** Legislature convened Jan. 14.

- \*Mark Rosbach has not done the survey as yet, but now has a list of all the legislators. He reported Wed. that there has been no legislation, either pro or con, introduced on this issue yet in Mass. He says it will be a tough battle to get anything passed in that state. Most people are afraid to voice an opinion.

**Nebraska:** Unicameral Legislature convened Jan. 7. (This is a short session.)

- \* Bob Valentine reported Wed. that Sen. Jim Jensen has an "arrangement" with the newly elected Speaker Doug Christensen, who favors LB 280, for the bill to be reintroduced again at an "appropriate time." The bill is widely supported. It will be brought up in late Feb. or early Mar. in "select file," with a structured debate limited to two hours. (Filibuster laws have been changed to limit Sen. Ernie

Chambers' ability to kill bills that are wanted by the majority.) Chambers, who opposes LB 280, will introduce an amendment to allow domestic partnerships or covenant partnerships.

Sen. Jensen recommends that Bob and those working with him do not draw too much attention to the bill now so that it can be quietly passed without the homosexual community becoming alarmed and exercising influence with the support of the local newspaper.

Bob's plan is to wait until after the "final reading," probably in April and see if pressure is needed. If so, they would contact members in the four stakes in Nebr. and the wards in W. Nebr. that belong to the Cheyenne, Wyo. Stake to help put pressure on wavering legislators.

Art sent some cautions and recommendations to Bob concerning the amendment Sen. Chambers plans to introduce to the bill.

**New Hampshire:** Legislature convened Jan. 7.

- \* Jill Hadaway reported Tues. that no new bills can now be presented for consideration until after the elections in the fall of 1998. Bills for the 1998 session had to be submitted before year end 1997. Jill is looking for a sponsor for the bill. There are no bills on this subject to be considered by the current legislature.

**New Jersey:** Legislature convened Jan. 13.

- \* Pres. Gary Carter reports that the New Jersey legislature is just now convening. He is having a meeting Feb. 12 with a strategy group to decide who might be the best legislator to present a new anti-SSM bill. The one who presented it last year is considered marginal in terms of his effectiveness. The Catholic Monsignor who was to be the contact with the Catholic Church is out of town until early March. Pres. Carter feels a lack of urgency prevails and there will need to be some stimulating of interest in this legislation.

**New York:** Legislature convened Jan. 7.

- \* Michael Young is still trying to get up to speed on what is happening in New York on this issue and what needs to be done.

**Ohio:** Legislature convened Jan. 5.

\*Judy Keyes reports that Rep. Ed Kasputis is the new chairman of the Civil and Commercial Law Committee where SGM bills are assigned. He is an attorney and very much against SGM. He has reviewed current law and sees no reason for additional legislation. Judy will ask Rep Hottinger what he had in mind in pushing HB160 last year. She is researching whether anyone thinks the "other jurisdictions" problem is not adequately covered in Ohio law and let us know.

**Rhode Is.** Legislature convened Jan. 6

Elder Robert Wood called to report he has a new contact in mind and will let us know when she has been called and has reviewed all the material the former RI contact, Evelyn Morrison, has prepared.

**Vermont:** \* The coalition held a press conference on Feb. 11 to announce its formation and also to release the Vermont survey results. The press conference was held in the Legislative Press Room. Their revised brochure was handed out. The strategy was to do all this before the Right To Marry Day on Feb. 12. To announce later would make our side look defensive after all the opposition publicity connected with the events of Feb.12. Mary Schroyer was chosen by the Coalition to be spokesperson which is a great step forward. She established that it was a Vermont Coalition depending on Vermont people for funds. The press reports that resulted were as good as could be expected.

**Washington:** \* The Washington Legislature passed the anti-SSM bill Feb. 6. Governor Locke had informally promised to let it go into law without his signature, but apparently under pressure from the homosexual lobby he vetoed the bill again. The supporters of the bill then had a plan to force a public vote on the issue this fall. The legislators who were following the political line with the Governor on this issue (Democrats), know the majority of the people do not want legalized SGM and feared if the issue were on the ballot this fall, the people might become polarized and put a label on all Democrats up for election and vote them out of office. All the Democratic legislators who are up for reelection next fall jumped ship and voted for the bill which provided enough votes to over-ride the Governor's veto and last Friday (Feb. 6) the bill passed into law!

**West Virginia:** Legislature convened Jan. 20.

\* Mark Atkinson reported Wed. that he has formed a loose coalition with the Catholics and the So. Baptists. They have agreed they are with him on

this issue and will testify or do whatever needs to be done.

Mark is meeting with one of the Chairmen of the Judiciary Committee this week to try to help him see the urgency of passing the bill and let him know there is a coalition interested in getting the job done. Mark says the first hurdle is to get the bill out of committee. Most of the legislators do not see this issue as a problem in W. Va. yet and think they shouldn't ruffle any feathers.

**Wisconsin:** Legislature convenes in late April.

Frances Staub reports that the Senate Judiciary Committee Chairman who held the bill up last year has resigned. The new chairman is a conservative and more likely to let the bill come out of committee. (The bill overwhelmingly passed the Assembly in May 1997 - 78-20. It has until the end of this session to pass the Senate.)

A special election is scheduled for April 7 to elect a new senator. Chances are good that a Republican will be elected and create a 17-16 majority in the Senate. Frances will organize letters and calls to the new chairman and to a new woman Senator who has been appointed to the committee. She replaced a Democrat who was very against our cause. Things are looking up.

- Notes:**
- \* George Dibble (Colorado) claims that the Democratic National Committee has mandated that every state delegation must have at least one homosexual or lesbian delegate.
  - \* Maine citizens voted 52% to 48% to repeal the Maine law that was passed last spring that added sexual orientation to the protected classifications in Main's 25-year-old human rights act. The governor signed it.

## **SGM REPORT -MARCH 12, 1998**

### **1. States where anti-SGM legislation has been passed in 1998:**

Washington.....passed Feb. 6, 1998

### **2. States with contacts in place and at work:**

Alabama.....Bruce and Deborah Smith  
California.....Bill Campbell  
Colorado.....George Dibble  
Iowa.....Robert K. Wagstaff  
Kentucky.....Chris Wakild  
Maryland.....Thomas Ladd  
Massachusetts.....Mark Rosbach  
Nebraska.....Robert Y. Valentine  
New Hampshire.....Jill Hadaway  
New Jersey.....Gary Carter  
New York.....Michael Young  
Ohio.....Judy Keyees  
Vermont.....Mary Schroyer  
West Virginia.....Mark Atkinson  
Wisconsin.....Frances Staub

### **3. States where Legislature does not meet in 1998 or where only budget matters are considered:**

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

### **4. States with no contacts:**

Rhode Island .....

## STATUS UPDATE

( \* indicates new information since Feb 12 report)

**Alabama:** \* SB 71 is in the Sen. Judiciary Committee and seems to be going nowhere. Bruce Smith is still trying to schedule a meeting with Sen. Armistead, the bill's sponsor. Judging from phone conversations with him, the Senator seems to want Bruce's input.

HB 152 is out of the House Judiciary Committee and headed to a "special order" calendar (to determine it's place in line). The bill's main sponsor, Rep. Crigler, is enthusiastic about the support Bruce has offered. The Senate bill is the better of the two bills, however. We were concerned about the House bill because it does not address the non-recognition issue, so we sent Lynn Wardles' sample bill and example bills from other states to the Smiths, who gave them to Sen. McKee, one of the bill's sponsors.

There appears to be no organized opposition to either bill. The danger is the lack of interest on leadership's part. The lottery and education have top priority. Bruce's sources say that both bills should easily pass if they come to a vote, and the governor is certain to sign.

Bruce asked that the Area Presidency send a letter to the stake presidents in Alabama as has been done in other states, so that he can request the help he needs from Church members to put pressure on their legislators. I asked Elder Carmack if he would send such a letter and discovered he had sent one last October and apparently neither we nor the Smiths were aware it had been done. We have faxed a copy of that letter to the Smiths so they can refresh memories if that is needed. Their letter asking for the help of stake presidents was mailed Mar. 11.

**California:** \* Lynn Wardle received word from Sen. Knight's office that they are going ahead with the refiling of the initiative petition. They will not try to get the petition signed in time for the 1998 general election, but will plan to get the signatures and the initiative qualified this spring and summer for the next election (the 2000 primary election unless the governor calls a special election before then).

**Colorado:** \* HB 1248 is still awaiting hearing before the House State Affairs Committee. No date has been scheduled for the hearing. George Dibble reports that some are of the opinion that it is useless to pass the bill because the governor is predisposed to catering to its opponents. The governor would probably veto the bill again on

the grounds that his advisory commission report will not be due until June 1, 1998.

There may be a movement to initiate the issue as a ballot measure. To do this, 52,000 valid signatures would be required (80,000 gross to net out the 52,000). The cost would run somewhere between \$20,000 and \$100,000. This is only in the talking stage and George will keep us posted.

**Iowa:** \* HF 382 passed the Iowa House Mar. 11 (84 yes votes, 8 no, and 8 not voting). As a result, the Senate Judiciary has decided to act on the House bill rather than on its own bill as had been planned. Action in the Senate committee is scheduled for next week.

**Kentucky:** \* The majority leader in the House (a Democrat) said he would not allow HB-13 anti-SSM bill to come to the House floor for vote even though it passed the Judiciary Committee. Due to pressure applied on the Chairman by Chris Wakild and associates, the bill was put on the calendar and passed the House 84 to 9 on March 11. A senator told Chris W. that there are enough votes in the senate to get it passed. It will be about two weeks before it will come to the senate floor. (Incidentally, the Catholics in Kentucky don't answer Chris's calls. He has received excellent support from the leaders of other churches.)

**Maryland:** \* The Senate Judicial Proceedings Committee is scheduled to vote on SB 565 on Mar. 13. We have not been able to get an update on this from Tom Ladd.

**Massachusetts:** \* We sent Lynn Wardle's review of Mass. law on SGM to Mark Rosbach with the suggestion that he take it to the chairman of the judiciary committee of the House or the Senate and see if there is any interest in sponsoring an anti-SGM bill. Same-sex marriage is not explicitly forbidden by either statute or case law in Mass.

Mark has not done the survey, but promised to do so. He seems very inexperienced and somewhat "at sea" about how to work with the legislature.

**Nebraska:** \* LB 280 cleared the Judiciary committee. It now goes for vote on the floor of the full legislature. (Neb. has a unicameral legislature.) Date for debate and vote has not been scheduled, but Bob Valentine has been assured that it will be voted on before the end of the session.

**New Hampshire:** \* No new bills will be presented for consideration for the next six months because of a full legislative agenda. Pres. David Ostler of the Concord Stake is taking a hands-on position with respect to seeing that a law is written and introduced. We have sent him Lynn Wardle's sample legislation. Pres. Ostler is in contact with Brad Cook, an attorney and professional lobbyist (free of charge so far). He is well connected with (the temporary) Catholic Bishop Christensen who is very much in favor of anti-SG legislation. It appears that Pres. Ostler can successfully support the Catholics and other religious leaders in this effort without taking strong leadership. The plan is to do organizing and preparation while awaiting the opportunity to present new legislation-- principally to prevent recognition of SGM from other jurisdictions.

**New Jersey:** \* Assembly bill A-706 has been introduced, co-sponsored by Nick Felice with whom our contact, Gary Carter is well acquainted. The bill denies recognition of SSM in New Jersey or from other jurisdictions. It has been referred to the Assembly Senior Issues and Community Services Committee. Gary Carter reports that budget bills and some other matters will have priority on the agenda, but he will attempt to move it up on the calendar. N.J. Legislature remains in session year-around and usually takes a summer recess. Pres. Carter speculates hearings will be in May or June, but the vote will not be until fall.

**New York:** Michael Young is still trying to get up to speed on what is happening in New York on this issue and what needs to be done.

There are two anti-SGM bills that were introduced in the 1997 Legislature that were not acted upon. The same two were introduced on Jan. 7 this year and referred to the respective Judiciary Committees: S1649 and H158. No action.

**Ohio:** \* Judy Keyees cannot get anyone interested in presenting a bill because they feel the current law is adequate. Lynn Wardle did an analysis of the current law in Ohio and he says the legislators feel there isn't a problem with it because the judges rule favorably on it. Lynn feels the current law can't be relied upon as is. We received Lynn's recommendations this morning and will send them to Judy today....She is trying to use the Alaska situation to arouse some interest in the legislators.

**Rhode Is.** \* Elder Robert Wood called Jan 12 and said he had a new contact in mind, but has not called back with the name, so we assume the person did not accept.

We found on the internet site for the RI Legislature that a pro-SGM bill was introduced Feb. 3, 1998 and referred to the Committee on Special Legislation.



This bill would authorize same gender marriages in RI by amending Chapter 15-1 of the General Laws entitled "Persons Eligible to Marry." As of Mar. 12 there has been no further action on the bill.

**Vermont:** \* Mary Schroyer reports that the insert/flier was delivered with all the Vermont papers the end of Feb. The bill was about \$9000 which was paid in part by a personal loan from one of the coalition directors plus a printer who agreed to be paid later. In addition to the insert costs, there was a \$2000 bill for the premium on liability insurance which the coalition is required to carry.

The Catholic Diocese contributed \$2400 and the coalition is receiving donations ranging from \$20 to \$100 as a result of the fliers and Mary's personal contacts. They are very appreciative of the money sent by Public Affairs and the letters that will be sent to stake presidents asking for member help.

Dave Coolidge has copies of all the briefs filed by the opposition in the court case and these will go to Lynn Wardle and Von Keetch who are writing amicus briefs in connection with this case.

**West Virginia:** \*That which was previously planned to be an anti-SSM bill has been attached as an amendment to SB-247 that deals with changes in the marriage law of West Virginia (such provisions as waiting period, medical examinations, etc.) The bill without the amendment apparently has passed the Senate and with the amendment is scheduled to be voted on in the House on Thursday or Friday March 12 or 13. It will then be sent back to the Senate for a vote on the amendment. Mark Atkinson says there is a good chance it will pass both houses. If the House and Senate don't pass the same bill it will go to a joint committee made up of two Democrats and one Republican. Mark is already working on one of the Democrat members of the joint committee in case that influence is needed. He assumes the Republican will vote for the House version. The legislative session ends Saturday so this is the last opportunity to pass this bill in this session.

**Wisconsin:** \* Frances Staub reports that the Senate Judiciary Committee Chairman who held the bill up last year has resigned. The committee is now made up of two Democrats and two Republicans, so there is no way to get the bill out of committee. (The bill overwhelmingly passed the Assembly in May 1997 - 78-20. It has until the end of this session to pass the Senate.) Because the Senate is now 16 Democrats and 16 Republicans, the chairman (a Democrat) will not schedule anything for a vote that might be controversial.

A special election is scheduled for April 7 to elect a new senator. Chances are good that a Republican will be elected and create a 17-16

majority in the Senate and also create a Republican majority in the judiciary committee. If a Republican is elected, the party has committed itself to call a special session and pass the neglected legislation. It is anticipated that the anti-SGM bill would be considered.

#### **OTHER AREAS OF CONCERN:**

**Alaska:** \* Monday (Mar.9) with a boost from testimony by Lynn Wardle in person and Michael Johnston by phone, the Senate Judiciary Committee in Juneau reported a proposed state constitutional amendment that says that a marriage to be valid in Alaska "may exist only between one man and one woman." It also says "No provision of this Constitution may be interpreted to require the State to recognize or permit marriages between individuals of the same sex."

## STATUS REPORT ON TEN TARGET STATES—JAN. 30, 1997

**MONTANA:** Reached our contact, Stanley Stott, in St. George where he is vacationing until Feb. 8. Bill HB 323 (of which we have a copy) has been referred to the House Judiciary Committee and is not scheduled for hearing as of Jan. 29. (Legislature meets only in odd numbered years.)

**NEVADA:** There is no legislation pending in Nevada as of Jan. 29. Our contact, Ashley Hall, reported that Senator Rawson (LDS Stake Pres.) has agreed to introduce a bill. Bro. Hall asked for suggested wording. Lynn Wardle sent us information which we faxed to Bro. Hall, advising him that a bill specifically designed for Nevada will be ready Jan. 30.

New bills can be introduced until the last day of the session which usually runs into July. Legislature meets only in odd numbered years, so if nothing is done this year, it will have to wait until 1999.

**NEW MEXICO:** Our contact, Bill Sego, met with Republican State Committee Chairman Jan. 29. He will work to have bipartisan SSM bill sponsored. Asked for suggested draft. Sent Lynn Wardle's information to him, advising him that a bill specifically designed for New Mexico will be ready Jan. 30. New legislation can be introduced until Feb. 20. Legislature in 1998 will deal only with budget matters.

Bro. Sego is also working on an amendment to the current law permitting release-time for seminary.

**OREGON:** Our contact, Marie Bell, says that the Right To Life group, the Catholic Conference, and other groups that would be our natural allies in an anti-SSM effort are totally consumed with the task of reversing a law already on the books in Oregon that permits assisted suicide.

Marie does not think there is adequate support in the Legislature or in the general populous to pass a law prohibiting the recognition of SSM. At best it would be a major and very expensive campaign.

Marie has not heard anything about the petition drive to put an initiative on the ballot mentioned in information from David Coolidge.

**TEXAS:** Our contact, Ken Dickensheets, is still quietly investigating things. He asked for a suggested bill. He is trying to find someone to submit it. Says all is quiet, but has found other religious people who recognize the need to pass a bill this year.

Regular sessions of the Texas Legislature are held only in odd numbered years. Budget session will be held in 1998. Last date to introduce new legislation is March 14.

**VIRGINIA:** Identical bills to not recognize SSM from other states have been introduced in the Assembly (HB 1589 1-8-97) and the Senate (SB 884 1-15-97). Both bills are in committee in the House and Senate Courts of Justice as of 1-29-97. Larry Tolpi reported 1-25-97 that he was working to get these passed.

This year is Virginia's short legislative session and ends about Feb. 6.

**WASHINGTON:** Pam Roach is our new contact, working under Area Authority Steven Pond. She is a Senator and is on the Senate Judiciary Committee.

Two bills have been introduced: HB 1130 and SB 5400. Hearings are scheduled for Feb. 4, and the floor vote Feb. 11 in both houses.

Steven Pond faxed us a copy of the proposed letter to go to Stake Presidents (1/24/97) to urge Church members to write or call their senators and representatives to voice support for the pending bills.

Pam Roach says Al Gore contacted Gov. Locke and told him he wants the Governor to be his running mate in 2000. This ~~may~~ be the reason the Governor has moderated his view on this issue and has said he ~~will~~ look at the bill if it is passed. Previously he said he would veto the bill.

**WYOMING:** Our contact, Anna Marie Hales, reported that bill HB 0094 (to prohibit SSM recognition) was introduced and is out of committee. She visited with the Governor 1/24/97 and he feels the bill will pass. It is on the Senate calendar waiting for its turn on the floor (as of 1/30/97). It is being delayed because of the concentration on budget bills.

Brent Kunz (an LDS attorney) is working on it as well as his former wife, April Brimmer Kunz. Their viewpoint is good: "We're not against anything, only want to preserve marriage."

Present statutes prohibit SSM. Sister Hales sent a copy of the bill.

**SAME-SEX MARRIAGE BILLS  
1997 STATE LEGISLATIVE UPDATE**

**NOTE: This information is current as of Wednesday, January 29, 1997.  
An asterisk (\*) indicates where there has been action since January 15.**

**SUMMARY: 19 States are getting into gear: 7 bills are already moving, 7 others have been introduced, and 5 more are known to be coming. 2 other States have initiatives underway.**

**I. BILLS ALREADY MOVING**

**\*Arkansas - HB 1004 passed out by House Public Health Committee on 1/14, SB 5 heard by Senate Judiciary on 1/22 (?).**

**\*Hawai'i - HB 117, proposed Constitutional Amendment, passed House 44-7 on 1/23. SB 1800, Senate proposed Constitutional Amendment, to be heard by Senate Judiciary on 2/3.**

**\*Indiana - HB 1019 filed in House Families, Children, and Human Affairs Committee. Chair refused to hear the bill. Separate bill in Senate \_\_\_\_\_, has been introduced (and heard?)**

**\*Mississippi - SB 2053 - passed Senate Judiciary Committee unanimously 1/8 or 1/9, passed full Senate 50-0 on 1/9 or 1/10. HCR 15, a proposed Constitutional Amendment has heard in the House Constitutional Committee (Rep. John Reeves, R-Jackson, is lead sponsor.)**

**\*New Jersey - SB 1376 - passed Senate Judiciary Committee 12/96, going on to full Senate. AB \_\_\_\_\_ was heard in Assembly Health Committee on \_\_\_\_\_ and passed 1/23 by \_\_\_\_\_.**

**\*Virginia - HB 1589 introduced on January 8, heard by House Courts of Justice Committee 1/24. SB 884 also introduced on Jan 15, has 19 Senators and 17 Delegates as original co-sponsors.**

**\*Wyoming - HB 94 - pre-filed. Original co-sponsors include 8 Representatives, 5 Senators. Heard in House Labor, Health & Social Services Committee on 1/23 and passed 6-3.**

## **II. BILLS OFFICIALLY PRE-FILED OR INTRODUCED BUT NO ACTION YET**

\*Colorado - HB 1198 introduced by Rep. Marilyn Musgrave (R-Ft. Morgan). A proposed Domestic Partnership bill is about to be introduced by Senator Pat Pascoe (D-Denver).

Florida - HB 147 officially pre-filed in House. Legislature reconvenes in February. *John Grant - Tampa*

\*Maryland - HB 398 introduced by Del. Emmett Burns (D-Balt. City), 1/23? in House Judiciary. Del. Sharon Grosfeld (D-Anne Arundel) expected to introduce PRO-SSM bill shortly.

\*Minnesota - HF 41 introduced \_\_\_\_\_ and currently in House Judiciary Subcommittee

\*Montana - HB 323 introduced

Nebraska - LB 289 - introduced 1/13, "Nebraska Defense of Marriage Act." Lead sponsor: Sen. Jim Jensen (Omaha). 28 original co-sponsors. Also, Sen. Ernie Chambers has introduced a PRO-SSM bill - LB 407.

\*Washington - HB 1130 introduced in House. SB 5398 and SB 5400 introduced 1/24 and referred to Senate Law & Justice Committee. One amends the statute legislatively; the other authorizes an initiative for voter approval (not subject to gubernatorial veto). Also, outgoing Governor Lowry expected to propose a PRO-SSM bill this week. The new Governor is thought to share the former Governor's views.

## **III. BILLS RUMORED COMING, BUT NOT OFFICIALLY AVAILABLE YET**

Alabama - bill to be introduced in Senate

California - Sen. Pete Knight plans to reintroduce his bill

North Dakota - bill to be introduced soon

Texas - bill to be introduced, reportedly by Warren Chisum (R-Pampa)

Wisconsin - Constitutional Amendment to be introduced in House. Also, PRO-SSM bill to be introduced by Rep. Tammy Baldwin.

## **IV. OTHER INITIATIVES**

Maine - petition drive given clearance, may appear on the ballot as early as 1997.

Oregon - petition drive underway to put initiative on the ballot for November 1998.

**V. STATES THAT HAVE ALREADY ENACTED SAME-SEX MARRIAGE LAWS**  
(enacted in 1996, unless otherwise indicated)

Alaska  
Arizona  
Delaware  
Georgia  
Hawai'i (1994)  
Idaho  
Illinois  
Kansas  
Michigan  
Missouri  
North Carolina  
Pennsylvania  
South Carolina  
South Dakota  
Tennessee  
Utah (1995)


---

This update was prepared by the Marriage Law Project, based on information from various sources on both sides of the same-sex marriage debate. Please forward corrections to David Orgon Coolidge, Director of the Project, at 202-682-1200 (PH), 202-408-0632 (FX), [mlproj@eppc.org](mailto:mlproj@eppc.org) (EMAIL).



THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS  
THE SEVENTY  
-47 EAST SOUTH TEMPLE STREET, SALT LAKE CITY, UTAH 84150

M E M O R A N D U M

TO: Domestic Area Presidents  
FROM: Elder Marlin K. Jensen   
DATE: March 19, 1997  
RE: Same-Gender Marriage Legislation

---

Attached, for your information, is an update giving the status of anti-HLM legislation all across our great land.

I appreciate your continuing interest and assistance with this important matter.

Encl.

## **SAME-SEX MARRIAGE BILLS 1997 STATE LEGISLATIVE UPDATE**

**NOTE: This information is current as of Tuesday, March 18, 1997.**

**\* indicates information updated from last week.**

**SUMMARY: 32 States have been active in 97: 2 have already passed legislation, 14 other bills are in progress, 10 others have been introduced without further action, 1 more is expected, 3 are dead, and 2 other States have non-legislative initiatives underway.**

### **I. BILLS ALREADY PASSED IN 1997**

**Arkansas - HB 1004** passed House 1/22 (92-2), and Senate 2/6, Governor signed 2/17.  
**SB 5** passed Senate 1/27 (34-0), and House 2/7. Governor signed 2/17.

**Mississippi - HCR 15**, proposed Constitutional Amendment passed House and Senate, signed by Governor but requires voter approval. **SB 2053** passed Senate (50-0) and House (118-3) was signed by Governor on 2/12. (SEE ALSO BILLS IN PROGRESS, BELOW)

### **II. BILLS IN PROGRESS**

**\*Alabama - SB 1** passed Senate and House Judiciary, now in full House.

**\*Colorado - HB 1198** passed House 2/20, the Senate added language recommended by Gov. Romer and passed it 3/12 (22-13). Now likely to go to conference committee. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**\*Florida - HB 147** unanimously passed the House Governmental Operations Committee on 3/5. **SB 272** passed Judiciary Committee 3/12 now in Children, Families, and Seniors.

**Hawai'i - HB 117**, proposed Constitutional Amendment, passed House 1/23 (44-7), substitute text (of SB 1800) passed Senate 2/6 (15-10). House received and rejected 2/7; both House and Senate have now appointed conferees and met for the first time on 3/3. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**Indiana - HB 1019** filed in House Families, Children, and Human Affairs Committee, killed by Chair. A new bill, **HB 1889**, has been introduced and is in the House Public Policy Committee. **SB 211**, passed Senate by 40-9 vote on 2/10. Governor has indicated will sign bill if passes.

**Iowa - HSB 37 and SSB 114** introduced by request of Gov. Brandstad (R) and assigned to Judiciary Committee. **HSB 37** passed House Judiciary, hearing to be held soon.

**Nebraska - LB 280 "Nebraska Defense of Marriage Act."** Passed Judiciary Committee on 2/26 (7-0). (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**New Jersey - S 1376** passed Senate Judiciary Committee 12/16/96, going on to full Senate.  
**A 2193** passed the Assembly Health Committee on 1/23.

**\*New Mexico - HB 640** passed House Consumer and Public Affairs Committee on 3/7 (7-0) now it goes to Judiciary Committee. **SJR 8**, proposed Constitutional Amendment, passed Senate Judiciary without recommendation.

**\*North Dakota - SB 2230** passed Senate on 2/20 (43-6) and the House.

**Montana - HB 323** passed House 2/26 (83-16), in Senate Judiciary Committee.

**Virginia - HB 1589** passed House 2/4 (87-9), Senate 2/12 (40-0), enrolled 2/22. Governor Allen expected to sign soon. Meanwhile, **SB 884** passed Senate 2/4 (37-3), House 2/19 (81-8).

**\*Washington - SB 5398** passed Senate 2/12 (33-15), passed House 2/14 (63-35), vetoed by Governor Locke 2/21. The Senate failed to override the veto on 2/26 (26-20 vote). **SB 5400** authorizing an initiative for voter approval this June (not subject to gubernatorial veto) passed Senate committee, is eligible for second reading. **HB 1130** in House Rules Committee, may be amended with initiative language. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**\*Wisconsin - Constitutional Amendment AB 104** passed to House Children and Families Committee 3/13 (6-3). To be heard in Rules Committee on 3/18. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

### **III. BILLS PRE-FILED OR INTRODUCED BUT NO ACTION YET**

**\*California - AB 800** was introduced on 2/26 by Assembly Member Margett and **SB 911** by Sen. Pete Knight. Will likely be heard in April. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**Connecticut - SB 535** prefiled and in Senate Judiciary Committee.

**Kentucky -** No session scheduled this year, may have special session to consider **BR 143**, **BR 119**.

**Minnesota - HF 41, HF 16, HF 69** all introduced and currently in House Judiciary Subcommittee. Hearing held on 3/11 but no support in committee. **SF 11** introduced and assigned to Senate Judiciary Committee.

**\*Mississippi - HB 295** and **HB 346** are in House Judiciary Committee. (SEE ALSO BILLS PASSED, ABOVE)

**New York - A 158** introduced, referred to Assembly Judiciary on 1/8. **S 1649** introduced, referred to Senate Judiciary on 1/24.

**Ohio - HB 160** introduced in House Civil and Commercial Law Committee.

**Rhode Island - H 5808** introduced by Rep. Iannitelli on 2/4 and assigned to House Judiciary.

**Texas - HB 11** introduced by Warren Chisum (R-Pampa) and assigned to House State Affairs Committee. **SB 375** filed on 2/10.

**Vermont - HB 182** introduced, by Rep. Sheltra, in House on 1/30 and sent to Judiciary Committee, not likely to go any where with no support in committee.

#### **IV. BILLS RUMORED COMING, BUT NOT OFFICIALLY AVAILABLE YET**

**Louisiana** - Legislation likely to come this year.

#### **V. DEAD BILLS**

**Wyoming - HB 94** Passed House Labor, Health & Social Services Committee on 1/23 by 6-3 vote. Time ran out, bill is dead.

**\*Maryland - HB 398** introduced by Del. Emmett Burns (D-Balt. City), heard in House Judiciary on 3/12 then on 3/17 only got 8 of the 12 votes necessary to move it out of committee. (SEE ALSO PRO-SSM/DP BILLS, BELOW) *May not be dead, yet (?)*

**\*New Hampshire - HB 260** The House voted 3/7 (261-85) to kill the bill on.

#### **VI. PRO SSM AND/OR DOMESTIC PARTNERSHIP BILLS**

**California - AB 54**, a Domestic Partnership bill was introduced by Assembly Member Murray and referred to Judiciary Committee. Hearing expected in mid-March. **AB 1059**, a DP health benefit bill has been introduced by Assembly Member Migden.

**Colorado** - A proposed Domestic Partnership bill is about to be introduced by Senator Pat Pascoe (D-Denver).

**Hawai'i - Reciprocal Beneficiaries bill, HB 118**, passed House 1/24 (47-4); revised and dramatically expanded version passed Senate 2/6 (15-10). Now in conference committee.

**\*Maryland** - Del. Sharon Grosfeld (D-Montgomery) has introduced **HB 609**, a PRO-SSM bill in Judiciary Committee, heard on 3/12.

**Nebraska** - Sen. Ernie Chambers's PRO-SSM bill, **LB 407**. Was indefinitely postponed in Judiciary Committee on 2/19.

**Rhode Island - H 5899** introduced by Rep. Pisaturo on 2/4 and assigned to House Judiciary.

SGM ADVISORY COMMITTEE MEETING  
January 29, 1998

## SGM ADVISORY COMMITTEE MEETING

January 29, 1998 — 2:00 p.m.

Room 240EW COB

Welcome

Elder Marlin K. Jensen

Invocation

Elder Richard B. Wirthlin

Agenda:

1. Art and Jan Anderson's report on state-by-state efforts Elder Jensen
2. California proposal from Capitol Resource Institute Elder Lance B. Wickman
3. Hawaii Elder David E. Sorensen
  - Fund raising
  - Referendum status
4. Vermont Elders Wickman and Wirthlin
  - Press release and coalition start-up
  - Legislative strategy
  - Appeal status
5. Canada Elder Jensen
  - Survey
  - Coalition
  - Legal help
6. Alaska Elder Wickman
7. State-by-state legal surveys Professor Lynn Wardle
8. Legal seminars during 1998 Professor Wardle
9. Other issues and concerns All
10. Next meeting

Benediction

**SGM REPORT - JANUARY 26, 1998****1. States with contacts in place and at work:**

Alabama.....Bruce and Deborah Smith  
California.....Bill Campbell  
Colorado.....George Dibble  
Iowa.....Robert K. Wagstaff  
Kentucky.....Chris Wakild  
Maryland.....Thomas Ladd  
Massachusetts.....Mark Rosbach  
Nebraska.....Robert Y. Valentine  
New Hampshire.....Jill Hadaway  
New Jersey.....Gary Carter  
\* New York.....Michael Young  
Ohio.....Judy Keyees  
Vermont.....Mary Schroyer  
Washington.....Perrin Walker  
West Virginia.....Mark Atkinson  
Wisconsin.....Frances Staub

**2. States where Legislature does not meet in 1998 or where only budget matters are considered:**

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

**3. States with no contacts:**

Rhode Island .....(Elder Wood has someone in mind.)

## STATUS UPDATE

( \* indicates new information since Jan. 8 report)

**Alabama:** Legislature convened Jan. 13.

\* After attending the temple and talking the issue over, the Smiths decided to arrange a meeting with Dan Ireland (Baptist lobbyist/minister) before proceeding further. They hope to meet with him before Jan. 31. He is very well versed on the SGM issue and with the legislators and the legislative process. The Smiths feel that perhaps the best thing will be to give key support to more broad leadership in getting anti-SGM legislation passed. --They asked a number of questions about how to get the support of members; how to raise funds, how to refer to themselves as they work with others etc. Art answered their questions and we hope to hear back by the end of the week.

**California:** Bill Campbell reports that the California legislators don't intend to do anything on the SGM issue until at least after the election results in Hawaii are on record this fall. If the constitution change fails, he doesn't think California legislators will do anything--just let SGM happen. If Hawaii makes the constitution change there may be a possibility of passing some legislation.

**Colorado:** The General Assembly convened Jan. 7.

Bro. Dibble will let us know what he thinks about the situation now. In Sept., Gov. Romer appointed a 16-member Commission on the Rights and Responsibilities of Same-Sex Relationships which will write a bill which Bro. Dibble says will not likely be satisfactory to the Legislature since the Commission is loaded with people sympathetic to SGM or domestic partnerships. The Commission was supposed to have its report ready by March 1, but is barely beyond the organizational stage. It is headed by Bishop William J. Winterroud of the Episcopal Diocese of Colorado. Catholic Archbishop Charles J. Chaput is one of the members of the Commission. Commission meetings are scheduled for Jan. 8 and Feb. 24, and a public hearing is scheduled for March 4.

**Connecticut:** \* Dr. Joseph Cook reinforced his original opinion that an attempt to pass anti-SGM legislation in Conn. should wait until the 1999 session. The Speaker of the House, who is a liberal, has announced his intention of stepping down after the current session. Barring the unexpected, the current House Majority Leader will become the Speaker in 1999 and has the reputation of being more conservative. Dr. Cook is waiting to do the survey until next year because there will be so many changes



in the legislature. He is monitoring the situation and will alert us if any legislation is proposed in the current session.

**Iowa:** Legislature convened Jan. 12.

\*Bob Wagstaff has visited with the chairman of both the Senate and House Judiciary Committees. They are both Republican and both houses are predominately Republican and want an anti-SGM bill passed. They think it will be a vote-getter for the 1998 elections.

We sent the proposed bill, HF 382, to Lynn Wardle for analysis and suggestions. Lynn and Eric Andersen reviewed it and both feel the bill will "probably do the job." They feel it could be clearer in some respects however, and sent some alternative language. Their recommendations were forwarded to Bob Wagstaff Jan 21.

Bob has a call to be a mission president starting July 1.

**Kentucky:** Legislature convened Jan. 6. Session continues for 60 calendar days.

Lynn Wardle's review of the two pre-filed bills and his recommendations were sent to Chris Wakild. Lynn felt the bills are very adequate, but made several suggestions to improve them. We suggested that Bro. Wakild either join an existing coalition or organize one.

Bro. Wakild has contacted Jane Childs who was recommended by his Catholic contact. Jane is very knowledgeable about lobbying. Together they decided that, at least for now, they will meet with legislators quietly rather than form a coalition.

Bro. Wakild sent a "guesstimate" of how the Kentucky Senate would vote on the SSM issue. It was provided by his LDS friend who is the Sen. Minority leader. 22 Senators would vote for an anti-SGM bill; 2 for a SGM bill; 13 are either undecided or would not reveal their position. - Rep. James Bruce, the sponsor of one of the pre-filed bills, advised Bro. Wakild not to poll the House. Rep. Bruce says he has enough votes to get his bill out of committee and thinks it has a good chance of passing. He feels that polling the House would alert the opposition and give them time to better prepare.

**Maryland:** Legislature convened Jan. 14 and remains in session for three months.

Tom Ladd is checking with the legislator who presented the anti-SGM bill in '97

to see if he plans to present it again in '98. Survey is in progress. He sees no need for a coalition until survey is in and legislator decides if he will present a bill.

**Massachusetts:** Legislature convened Jan. 14.

Mark Rosbach was sent the survey kit on Dec. 5 and he has agreed to do the survey.

**Nebraska:** Legislature convened Jan. 7. (This is a short session.)

Robert Valentine has been waiting to see if Sen. Douglas Christensen would be elected Speaker of the unicameral legislature. He was elected the first day of the session which means that LB280 is likely to move forward. If Sen. Landis had been elected, he likely would have kept the bill off the agenda.

**New Hampshire:** Legislature convened Jan. 7.

Lynn Wardle's analysis of the existing NH law has been sent to Jill Hadaway. His recommendation is that the law be amended to clarify that SGM from other jurisdictions will not be recognized. Lynn feels a more specific law is needed "because the existing statutes are vulnerable to misuse by advocates of SGM."

We suggested that Jill work toward organizing a coalition. She agreed there is a definite need for one and is now working on it.

**New Jersey:** Legislature convened Jan. 13.

Pres. Gary Carter has felt that a new bill and a new sponsor are needed for 1998. Lynn Wardle was asked to formulate a bill. Lynn feels A2193 is very adequate, but he did suggest three alternative wordings which were sent to Pres. Carter on Dec. 29. He will find a sponsor and they will decide what to do about the wording. - Lynn is also working on a review of NJ statutes and case law which we will send to Pres. Carter.

**New York:** Legislature convened Jan. 7.

\* A short conversation was held with Michael Young, the new contact in New York, before he left for a trip to Hawaii. The survey kit was mailed to him and further discussion will be held when Bro. Young returns Feb. 2.

**Ohio:** Legislature convened Jan. 5.

Judy Keyees reports that the feeling in the Ohio Legislature is that the anti-SGM issue isn't urgent and isn't likely to be brought up soon. Most legislators feel a bill isn't necessary. However, in the House, 70 of the 90 members are against SGM but there isn't unity on whether a bill is needed.

A review of the current Ohio law confirms that a new law probably isn't necessary, but the "other jurisdictions" clause could be strengthened. Rep. Hottinger, who introduced the bill last year, still plans to try to move a bill out of committee.

**Rhode Is.** Legislature convened Jan. 6

Elder Robert Wood called to report he has a new contact in mind and will let us know when she has been called and has reviewed all the material the former RI contact, Evelyn Morrison, has prepared.

**Vermont:** Legislature convened Jan. 8. Crossover date is Feb. 10.

\*The coalition will hold a press conference in the next two weeks to announce its formation. At the same time, it will release the results of the poll prepared by Elder Wirthlin and done by California firm. (The poll found that a majority of Vermont residents do not want SGM. The proportion of disapproval was lower in Vermont than in California and Hawaii, but still large enough to do well if this issue goes to the vote of the people.)

The bill prohibiting SGM (H182) is in the Judicial Committee and the coalition has been advised to leave it there to die, and take up the issue anew in the 1999 session. The coalition will work at educating the public and prepare for next year's session when the course of action will be clear, depending on the outcome of the appeal of the same gender couple's case which was dismissed in trial court. The goal at present in Vermont is to win the appeal in the state Supreme Court.

Mary Schroyer spoke to the High Council in Pres. Baldwin's stake on Jan 22. He asked her to come back this week and speak to the Stake Presidency and Bishops. She feels these meetings are giving her a good opportunity to educate Church leaders.

Lynn Wardle's analysis on the current law in Vermont was sent to Mary and to Tom McCormick.

**Washington:** Legislature convened Jan. 12.

\*The Area Presidency sent a letter to all Stake Presidents, Bishops, and Branch Presidents in Washington to be read in Priesthood and Relief Society Meetings on Jan. 25, 1998. The letter encouraged Church members to write or call their legislators and urge them to pass HB 1130 which will be introduced as a referendum in the 1998 session. The letter also advised the leaders and members in Washington that Perrin Walker has been called to coordinate efforts on this issue.

The governors secretary reports that the governor has not changed his views on an anti-SGM bill and would likely veto it. Nevertheless, he is encouraging Rep. Thompson to go ahead with the presentation of a bill. Perrin thinks it will pass. The success of the effort will then hinge on putting enough pressure on the governor that he will not veto. For this reason it was important that the Stake Presidents be alerted to get the members ready to act. Because this is a short session, the bill must succeed on the first push and having the "citizens" ready to act on short notice is very important.

The informal group of supporters for 1998 DOMA in Washington with whom Perrin has been working is not inclined to form a formal coalition. All agreed however, that major denominational supporters of DOMA should be requested to endorse the measure, and that congregational endorsements from across the state would also be helpful so that the legislature, the Governor, and also the public would be able to see the broad, grass-roots support of the measure. They have written "An Affirmation of Marriage" statement which groups and individuals will be asked to sign and send to their legislators.

**West Virginia:** Legislature convened Jan. 20.

On Dec. 29, Mark Atkinson reported that Rep. Steve Harrison will present a new bill in the House this session. (A bill passed both Houses last year and was voted down after it was included in other legislation.) Mark thinks prospects are good for this new bill to pass if it can get out of committee.

Mark also reported that there is a rumor that the chairman of the Senate Judiciary Committee might hold up an anti-SGM bill. So he is organizing a pressure group to call on the chairman to urge him to move the bill along.

1-26-1998 4:58PM

FROM ARTHUR S ANDERSON 801 582 2971

P. 8

**Wisconsin:** Legislature convenes in late April.

Frances Staub reports that the Senate Judiciary Committee Chairman who held the bill up last year has resigned. The new chairman is a conservative and more likely to let the bill come out of committee. (The bill overwhelmingly passed the Assembly in May 1997 - 78-20. It has until the end of this session to pass the Senate.)

A special election is scheduled for April 7 to elect a new senator. Chances are good that a Republican will be elected and create a 17-16 majority in the Senate. Frances will organize letters and calls to the new chairman and to a new woman Senator who has been appointed to the committee. She replaced a Democrat who was very against our cause. Things are looking up.



# Facsimile Transmission Cover Sheet

Name: Loren Dunn Date: 1/30/98  
Company: LDS Church Time: \_\_\_\_\_  
Fax Number: 801-240-3751  
Number of Pages (Including This Sheet): 3  
From: Randy Thomasson

If you have any trouble receiving any pages in this transmission please contact us at  
916/498-1940. Our number for automatic facsimile reception is:

916/448-2888

Please note the following: \_\_\_\_\_

Please forward to Loren Dunn  
ASAP.

1414 K Street,  
Suite 200  
Sacramento, CA  
95814

(916) 498-1940  
Phone  
(916) 448-2888  
Fax

## SGM REPORT -MAY 21, 1998

### 1. States where anti-SGM legislation has been passed in 1998:

Alabama.....passed Apr. 27, 1998 (signed by Gov. May 1, 1998)  
Iowa.....passed Apr. 7, 1998 (signed by Gov. Apr. 15, 1998)  
Kentucky.....passed Mar. 12, 1998 (signed by Gov. Apr. 2, 1998)  
Washington.....passed (signed by Gov. Feb. 6, 1998)

### 2. States where anti-SGM legislation has been defeated in 1998:

Maryland.....Senate passed bill; House did not (Apr. 11, 1998)  
West Virginia.....House passed bill; Senate did not. Legislature adjourned

### 3. States where anti-SGM legislation was introduced, but did not get out of committee:

Colorado.....Bill was withdrawn in committee April 30.  
Nebraska.....Unicameral legislature did not vote on bill before adjourning.  
Wisconsin.....Special session ended without bill being calendared.

### 4. States with contacts in place and Legislatures still in session:

California.....Bill Campbell  
Massachusetts.....Mark Rosbach  
New Hampshire.....Jill Hadaway and Pres. David Ostler  
New Jersey.....Gary Carter  
New York.....Michael Young  
Ohio.....Judy Keyees  
Rhode Island.....Mary Ann Kohl  
Vermont.....Mary Schroyer

### 5. States where Legislature does not meet in 1998 or where only budget matters are considered:

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

### 5. Other states where there are concerns:

Alaska.....

## STATUS UPDATE

**Alaska:** SJR42, the proposed constitutional amendment to prevent Alaska courts from forcing the state to recognize SGM, was approved in the Senate April 16 with the exact 2/3rds majority (14-6) required to make a constitutional amendment. It then passed the House 18-12, one vote over the needed 27. This means the amendment will be on the ballot on Nov. 3, 1998.

### California:

**Massachusetts:** No bills, either for or against SGM, have been introduced in the Mass. Legislature this session. Legislature is still in session.. Our contact, Mark Rosbach has not been actively trying to get a bill introduced. He does not seem to know how to go about it, even with our suggestions. Perhaps we need a change here.

**New Hampshire:** Pres. David Ostler reports this week that he and Bishop Bryson Cook in the Concord Stake have met with a lobbyist member of the Church (Brad Cook who is working at the moment free of charge) and Monsignor Bulduc. Brad Cook is next going to meet with the Donna Sytek, the Senate Pres. and Majority Leader to lobby for her support and ask her to initiate an anti-SGM bill. Monsignor Bulduc is meeting with the Diocesan Council to finalize the decision for the Catholics to take the lead in this issue, and also with the Council of Churches to ask for support there. If these meetings are successful, they will build the coalition further by getting grass roots support from other organizations such as the Boy Scouts and YMCA etc.

We sent Pres. Ostler some material on the urgency of getting a bill passed.

**New Jersey :** Assembly bill A-706 has been introduced, co-sponsored by Nick Felice with whom our contact, Gary Carter is well acquainted. The bill denies recognition of SSM in New Jersey or from other jurisdictions. It has been referred to the Assembly Senior Issues and Community Services Committee. Gary Carter reports that budget bill and some other matters will have priority on the agenda, but he will attempt to move it up on the calendar. N.J. Legislature remains in session year-around and usually takes a summer recess. Pres. Carter speculates hearings will be in late May or June, but the vote will not be until fall.



**New York:** There are two anti-SGM bills that were introduced in the 1997 Legislature that were not acted upon. The same two were introduced on Jan. 7 this year and referred to the respective Judiciary Committees: S1649 and H158. There has been no action as of May 20, nor has there been any action in the court case.

**Ohio:** Ohio has a law defining marriage as a contract between one man and one woman. They also have extensive case law in place including one involving a transvestite. In every case the courts have ruled in favor of preserving traditional marriage. After our contact in Ohio, Judy Keyees, talked extensively with Edward S. Kasputis, chairman of the House Civil & Commercial Law Committee, he reviewed all of the case law and the Ohio Statutes. He says there is not chance a same-sex marriage would get recognition in Ohio. Lynn Wardle agrees with this analysis in general but says it would strengthen the law to have the "other jurisdictions" clause in the law.

All things considered, we think it would be best to include Ohio in the group of states with the law in place. Judy will watch and report if there is any threat to the existing law.

**Rhode Is.** There has been no further action on the pro-same gender marriage bill that was introduced Feb. 3. The legislative session has been extended to mid-June.

**Vermont:** Mary Schroyer and the coalition in Vermont continues to raise money and to recruit new members so they will have an impressive enrollment to announce to legislators in the fall. They have considerable debt and the money is being volunteered in small amounts. There is very little financial support from local LDS members.

## **Traditional Marriage Coalition**

---

To: Elders Dunn, Wickman, Wirthlin, and Dr. Lynn Wardle

From: Art and Jan Anderson

Elder Jensen suggested today that it might be helpful for the members of the SGM Advisory Committee to have the state-by-state update that we give to him periodically. The attached is the current report.

Arthur S. Anderson  
Traditional Marriage Coalition  
2242 Kensington Ave  
Salt Lake City, UT. 84108

Toll free: (888) 714-8884  
Fax: (801) 582-2971  
E-mail: [ASA77@yescompany.com](mailto:ASA77@yescompany.com)

FEB 13 1998

## SGM REPORT -FEBRUARY 12, 1998

### 1. States where anti-SGM legislation has been passed in 1998:

Washington.....passed Feb. 6, 1998

### 2. States with contacts in place and at work:

Alabama.....Bruce and Deborah Smith  
California.....Bill Campbell  
Colorado.....George Dibble  
Iowa.....Robert K. Wagstaff  
Kentucky.....Chris Wakild  
Maryland.....Thomas Ladd  
Massachusetts.....Mark Rosbaeh  
Nebraska.....Robert Y. Valentine  
New Hampshire.....Jill Hadaway  
New Jersey.....Gary Carter  
New York.....Michael Young  
Ohio.....Judy Keyees  
Vermont.....Mary Schroyer  
West Virginia.....Mark Atkinson  
Wisconsin.....Frances Staub

### 3. States where Legislature does not meet in 1998 or where only budget matters are considered:

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

### 4. States with no contacts:

Rhode Island .....(Elder Wood has someone in mind.)

## STATUS UPDATE

( \* indicates new information since Jan. 26 report)

**Alabama:** Legislature convened Jan. 13.

- \* After waiting for Rev. Ireland to respond to their offer to assist him in his efforts to get an anti-SGM bill introduced, the Smiths report that they can't afford to wait any longer. He has promised twice to set up a meeting with the sponsor of the bill and hasn't come through. The Smiths have decided to find another route to the bill's sponsor. They have a friend in the House who is going to give them some guidance this week.

**California:** \* Bill Campbell reported this morning that Sen. Pete Knight is going ahead with the legal matters that need to be done in preparation for gathering signatures for an initiative. Bill doesn't think Sen. Knight has enough backing to get the signatures.

Sen. Knight has asked the California Legislative Council (a group of about 200 lawyers who advise the Legislature) for an opinion as to whether California law would mandate recognition of SGM performed in other jurisdictions. That opinion would be important. (Note: Perhaps it would be worth having such an opinion rendered in some of the other 22 states that don't have new laws in place.)

**Colorado:** The General Assembly convened Jan. 7.

- \* George Dibble reported Tues. that the sponsors of the anti-SGM bill are still determined to move the existing bill through and think it will pass again as it has the past two years. Whether the Governor will veto the bill again is the question. Some think he has less credibility now because he is currently in trouble over lying about an affair with a long time female staff member. That may or may not effect his stand on this issue.

**Iowa:** Legislature convened Jan. 12.

We sent the proposed bill, HF 382, to Lynn Wardle for analysis and suggestions. Lynn and Eric Andersen reviewed it and both feel the bill will "probably do the job." They feel it could be clearer in some respects however, and sent some alternative language. Their recommendations were forwarded to Bob Wagstaff Jan 21.

- \* Bob Wagstaff reported Tues that the bill is ready to present, but they are waiting for the right timing. The House, Senate, and Governor are all Republican and all want the bill passed so they can use "we protected families" as a campaign issue in the fall.

Bob has a call to be a mission president starting July 1.

**Kentucky:** Legislature convened Jan. 6. Session continues for 60 calendar days.

- \* Chris Wakild reports that a hearing is scheduled before the House Judiciary Committee on Thursday Feb. 19 on HB-11 and HB-13. One bill is Democrat-sponsored and the other is Republican-sponsored. Either bill is acceptable and there may be reason to use the Democrat version since the House has a Democrat majority. Chris Wakild is notifying all of the stake presidents and asking them to have 15 people in each ward call the members of the Judiciary Committee telling them they have an interest in seeing that this bill is passed out of committee for a vote. This is good news because Chris was being told by his contact in the House as well as in the Senate that he should lay low and not stir up any controversy. He feared they would lay low until it is too late to get the bill out of committee.

**Maryland:** Legislature convened Jan. 14 and remains in session for three months.

Tom Ladd is checking with the legislator who presented the anti-SGM bill in '97 to see if he plans to present it again in '98. Survey is in progress. He sees no need for a coalition until survey is in and legislator decides if he will present a bill. (Bro. Ladd has not been available all week for an update.)

**Massachusetts:** Legislature convened Jan. 14.

- \*Mark Rosbach has not done the survey as yet, but now has a list of all the legislators. He reported Wed. that there has been no legislation, either pro or con, introduced on this issue yet in Mass. He says it will be a tough battle to get anything passed in that state. Most people are afraid to voice an opinion.

**Nebraska:** Unicameral Legislature convened Jan. 7. (This is a short session.)

- \* Bob Valentine reported Wed. that Sen. Jim Jensen has an "arrangement" with the newly elected Speaker Doug Christensen, who favors LB 280, for the bill to be reintroduced again at an "appropriate time." The bill is widely supported. It will be brought up in late Feb. or early Mar. in "select file," with a structured debate limited to two hours. (Filibuster laws have been changed to limit Sen. Ernie

Chambers' ability to kill bills that are wanted by the majority.) Chambers, who opposes LB 280, will introduce an amendment to allow domestic partnerships or covenant partnerships.

Sen. Jensen recommends that Bob and those working with him do not draw too much attention to the bill now so that it can be quietly passed without the homosexual community becoming alarmed and exercising influence with the support of the local newspaper.

Bob's plan is to wait until after the "final reading," probably in April and see if pressure is needed. If so, they would contact members in the four stakes in Nebr. and the wards in W. Nebr. that belong to the Cheyenne, Wyo. Stake to help put pressure on wavering legislators.

Art sent some cautions and recommendations to Bob concerning the amendment Sen. Chambers plans to introduce to the bill.

**New Hampshire:** Legislature convened Jan. 7.

- \* Jill Hadaway reported Tues. that no new bills can now be presented for consideration until after the elections in the fall of 1998. Bills for the 1998 session had to be submitted before year end 1997. Jill is looking for a sponsor for the bill. There are no bills on this subject to be considered by the current legislature.

**New Jersey:** Legislature convened Jan. 13.

- \* Pres. Gary Carter reports that the New Jersey legislature is just now convening. He is having a meeting Feb. 12 with a strategy group to decide who might be the best legislator to present a new anti-SSM bill. The one who presented it last year is considered marginal in terms of his effectiveness. The Catholic Monsignor who was to be the contact with the Catholic Church is out of town until early March. Pres. Carter feels a lack of urgency prevails and there will need to be some stimulating of interest in this legislation.

**New York:** Legislature convened Jan. 7.

- \* Michael Young is still trying to get up to speed on what is happening in New York on this issue and what needs to be done.

**Ohio:** Legislature convened Jan. 5.

\*Judy Keyes reports that Rep. Ed Kasputis is the new chairman of the Civil and Commercial Law Committee where SGM bills are assigned. He is an attorney and very much against SGM. He has reviewed current law and sees no reason for additional legislation. Judy will ask Rep Hottinger what he had in mind in pushing HB160 last year. She is researching whether anyone thinks the "other jurisdictions" problem is not adequately covered in Ohio law and let us know.

**Rhode Is.** Legislature convened Jan. 6

Elder Robert Wood called to report he has a new contact in mind and will let us know when she has been called and has reviewed all the material the former RI contact, Evelyn Morrison, has prepared.

**Vermont:** \* The coalition held a press conference on Feb. 11 to announce its formation and also to release the Vermont survey results. The press conference was held in the Legislative Press Room. Their revised brochure was handed out. The strategy was to do all this before the Right To Marry Day on Feb. 12. To announce later would make our side look defensive after all the opposition publicity connected with the events of Feb.12. Mary Schroyer was chosen by the Coalition to be spokesperson which is a great step forward. She established that it was a Vermont Coalition depending on Vermont people for funds. The press reports that resulted were as good as could be expected.

**Washington:** \* The Washington Legislature passed the anti-SSM bill Feb. 6. Governor Locke had informally promised to let it go into law without his signature, but apparently under pressure from the homosexual lobby he vetoed the bill again. The supporters of the bill then had a plan to force a public vote on the issue this fall. The legislators who were following the political line with the Governor on this issue (Democrats), know the majority of the people do not want legalized SGM and feared if the issue were on the ballot this fall, the people might become polarized and put a label on all Democrats up for election and vote them out of office. All the Democratic legislators who are up for reelection next fall jumped ship and voted for the bill which provided enough votes to over-ride the Governor's veto and last Friday (Feb. 6) the bill passed into law!

**West Virginia:** Legislature convened Jan. 20.

\* Mark Atkinson reported Wed. that he has formed a loose coalition with the Catholics and the So. Baptists. They have agreed they are with him on

this issue and will testify or do whatever needs to be done.

Mark is meeting with one of the Chairmen of the Judiciary Committee this week to try to help him see the urgency of passing the bill and let him know there is a coalition interested in getting the job done. Mark says the first hurdle is to get the bill out of committee. Most of the legislators do not see this issue as a problem in W. Va. yet and think they shouldn't ruffle any feathers.

**Wisconsin:** Legislature convenes in late April.

Frances Staub reports that the Senate Judiciary Committee Chairman who held the bill up last year has resigned. The new chairman is a conservative and more likely to let the bill come out of committee. (The bill overwhelmingly passed the Assembly in May 1997 - 78-20. It has until the end of this session to pass the Senate.)

A special election is scheduled for April 7 to elect a new senator. Chances are good that a Republican will be elected and create a 17-16 majority in the Senate. Frances will organize letters and calls to the new chairman and to a new woman Senator who has been appointed to the committee. She replaced a Democrat who was very against our cause. Things are looking up.

**Notes:**

- \* George Dibble (Colorado) claims that the Democratic National Committee has mandated that every state delegation must have at least one homosexual or lesbian delegate.
- \* Maine citizens voted 52% to 48% to repeal the Maine law that was passed last spring that added sexual orientation to the protected classifications in Main's 25-year-old human rights act. The governor signed it.



## SGM REPORT -MARCH 12, 1998

### 1. States where anti-SGM legislation has been passed in 1998:

Washington.....passed Feb. 6, 1998

### 2. States with contacts in place and at work:

Alabama.....Bruce and Deborah Smith  
California.....Bill Campbell  
Colorado.....George Dibble  
Iowa.....Robert K. Wagstaff  
Kentucky.....Chris Wakild  
Maryland.....Thomas Ladd  
Massachusetts.....Mark Rosbach  
Nebraska.....Robert Y. Valentine  
New Hampshire.....Jill Hadaway  
New Jersey.....Gary Carter  
New York.....Michael Young  
Ohio.....Judy Keyees  
Vermont.....Mary Schroyer  
West Virginia.....Mark Atkinson  
Wisconsin.....Frances Staub

### 3. States where Legislature does not meet in 1998 or where only budget matters are considered:

Connecticut.....Joseph Cook  
Louisiana.....Stephen Cutler  
New Mexico.....Bill Sego  
Nevada.....Ashley Hall  
Oregon.....Paul Clayson  
Texas.....Ken Dickensheets  
Wyoming.....Anna Marie Hales

### 4. States with no contacts:

Rhode Island .....

## STATUS UPDATE

( \* indicates new information since Feb 12 report)

**Alabama:** \* SB 71 is in the Sen. Judiciary Committee and seems to be going nowhere. Bruce Smith is still trying to schedule a meeting with Sen. Armistead, the bill's sponsor. Judging from phone conversations with him, the Senator seems to want Bruce's input.

HB 152 is out of the House Judiciary Committee and headed to a "special order" calendar (to determine it's place in line). The bill's main sponsor, Rep. Crigler, is enthusiastic about the support Bruce has offered. The Senate bill is the better of the two bills, however. We were concerned about the House bill because it does not address the non-recognition issue, so we sent Lynn Wardles' sample bill and example bills from other states to the Smiths, who gave them to Sen. McKee, one of the bill's sponsors.

There appears to be no organized opposition to either bill. The danger is the lack of interest on leadership's part. The lottery and education have top priority. Bruce's sources say that both bills should easily pass if they come to a vote, and the governor is certain to sign.

Bruce asked that the Area Presidency send a letter to the stake presidents in Alabama as has been done in other states, so that he can request the help he needs from Church members to put pressure on their legislators. I asked Elder Carmack if he would send such a letter and discovered he had sent one last October and apparently neither we nor the Smiths were aware it had been done. We have faxed a copy of that letter to the Smiths so they can refresh memories if that is needed. Their letter asking for the help of stake presidents was mailed Mar. 11.

**California:** \* Lynn Wardle received word from Sen. Knight's office that they are going ahead with the refiling of the initiative petition. They will not try to get the petition signed in time for the 1998 general election, but will plan to get the signatures and the initiative qualified this spring and summer for the next election (the 2000 primary election unless the governor calls a special election before then).

**Colorado:** \* HB 1248 is still awaiting hearing before the House State Affairs Committee. No date has been scheduled for the hearing. George Dibble reports that some are of the opinion that it is useless to pass the bill because the governor is predisposed to catering to its opponents. The governor would probably veto the bill again on

the grounds that his advisory commission report will not be due until June 1, 1998.

There may be a movement to initiate the issue as a ballot measure. To do this, 52,000 valid signatures would be required (80,000 gross to net out the 52,000). The cost would run somewhere between \$20,000 and \$100,000. This is only in the talking stage and George will keep us posted.

**Iowa:** \* HF 382 passed the Iowa House Mar. 11 (84 yes votes, 8 no, and 8 not voting). As a result, the Senate Judiciary has decided to act on the House bill rather than on its own bill as had been planned. Action in the Senate committee is scheduled for next week.

**Kentucky:** \* The majority leader in the House (a Democrat) said he would not allow HB-13 anti-SSM bill to come to the House floor for vote even though it passed the Judiciary Committee. Due to pressure applied on the Chairman by Chris Wakild and associates, the bill was put on the calendar and passed the House 84 to 9 on March 11. A senator told Chris W. that there are enough votes in the senate to get it passed. It will be about two weeks before it will come to the senate floor. (Incidentally, the Catholics in Kentucky don't answer Chris's calls. He has received excellent support from the leaders of other churches.)

**Maryland:** \* The Senate Judicial Proceedings Committee is scheduled to vote on SB 565 on Mar. 13. We have not been able to get an update on this from Tom Ladd.

**Massachusetts:** \* We sent Lynn Wardle's review of Mass. law on SGM to Mark Rosbach with the suggestion that he take it to the chairman of the judiciary committee of the House or the Senate and see if there is any interest in sponsoring an anti-SGM bill. Same-sex marriage is not explicitly forbidden by either statute or case law in Mass.

Mark has not done the survey, but promised to do so. He seems very inexperienced and somewhat "at sea" about how to work with the legislature.

**Nebraska:** \* LB 280 cleared the Judiciary committee. It now goes for vote on the floor of the full legislature. (Neb. has a unicameral legislature.) Date for debate and vote has not been scheduled, but Bob Valentine has been assured that it will be voted on before the end of the session.

**New Hampshire:** \* No new bills will be presented for consideration for the next six months because of a full legislative agenda. Pres. David Ostler of the Concord Stake is taking a hands-on position with respect to seeing that a law is written and introduced. We have sent him Lynn Wardle's sample legislation. Pres. Ostler is in contact with Brad Cook, an attorney and professional lobbyist (free of charge so far). He is well connected with (the temporary) Catholic Bishop Christensen who is very much in favor of anti-SG legislation. It appears that Pres. Ostler can successfully support the Catholics and other religious leaders in this effort without taking strong leadership. The plan is to do organizing and preparation while awaiting the opportunity to present new legislation-- principally to prevent recognition of SGM from other jurisdictions.

**New Jersey:** \* Assembly bill A-706 has been introduced, co-sponsored by Nick Felice with whom our contact, Gary Carter is well acquainted. The bill denies recognition of SSM in New Jersey or from other jurisdictions. It has been referred to the Assembly Senior Issues and Community Services Committee. Gary Carter reports that budget bills and some other matters will have priority on the agenda, but he will attempt to move it up on the calendar. N.J. Legislature remains in session year-around and usually takes a summer recess. Pres. Carter speculates hearings will be in May or June, but the vote will not be until fall.

**New York:** Michael Young is still trying to get up to speed on what is happening in New York on this issue and what needs to be done.

There are two anti-SGM bills that were introduced in the 1997 Legislature that were not acted upon. The same two were introduced on Jan. 7 this year and referred to the respective Judiciary Committees: S1649 and H158. No action.

**Ohio:** \* Judy Keyees cannot get anyone interested in presenting a bill because they feel the current law is adequate. Lynn Wardle did an analysis of the current law in Ohio and he says the legislators feel there isn't a problem with it because the judges rule favorably on it. Lynn feels the current law can't be relied upon as is. We received Lynn's recommendations this morning and will send them to Judy today....She is trying to use the Alaska situation to arouse some interest in the legislators.

**Rhode Is.** \* Elder Robert Wood called Jan 12 and said he had a new contact in mind, but has not called back with the name, so we assume the person did not accept.

We found on the internet site for the RI Legislature that a pro-SGM bill was introduced Feb. 3, 1998 and referred to the Committee on Special Legislation.

This bill would authorize same gender marriages in RI by amending Chapter 15-1 of the General Laws entitled "Persons Eligible to Marry." As of Mar. 12 there has been no further action on the bill.

**Vermont:** \* Mary Schroyer reports that the insert/flier was delivered with all the Vermont papers the end of Feb. The bill was about \$9000 which was paid in part by a personal loan from one of the coalition directors plus a printer who agreed to be paid later. In addition to the insert costs, there was a \$2000 bill for the premium on liability insurance which the coalition is required to carry.

The Catholic Diocese contributed \$2400 and the coalition is receiving donations ranging from \$20 to \$100 as a result of the fliers and Mary's personal contacts. They are very appreciative of the money sent by Public Affairs and the letters that will be sent to stake presidents asking for member help.

Dave Coolidge has copies of all the briefs filed by the opposition in the court case and these will go to Lynn Wardle and Von Keetch who are writing amicus briefs in connection with this case.

**West Virginia:** \*That which was previously planned to be an anti-SSM bill has been attached as an amendment to SB-247 that deals with changes in the marriage law of West Virginia (such provisions as waiting period, medical examinations, etc.) The bill without the amendment apparently has passed the Senate and with the amendment is scheduled to be voted on in the House on Thursday or Friday March 12 or 13. It will then be sent back to the Senate for a vote on the amendment. Mark Atkinson says there is a good chance it will pass both houses. If the House and Senate don't pass the same bill it will go to a joint committee made up of two Democrats and one Republican. Mark is already working on one of the Democrat members of the joint committee in case that influence is needed. He assumes the Republican will vote for the House version. The legislative session ends Saturday so this is the last opportunity to pass this bill in this session.

**Wisconsin:** \* Frances Staub reports that the Senate Judiciary Committee Chairman who held the bill up last year has resigned. The committee is now made up of two Democrats and two Republicans, so there is no way to get the bill out of committee. (The bill overwhelmingly passed the Assembly in May 1997 - 78-20. It has until the end of this session to pass the Senate.) Because the Senate is now 16 Democrats and 16 Republicans, the chairman (a Democrat) will not schedule anything for a vote that might be controversial.

A special election is scheduled for April 7 to elect a new senator. Chances are good that a Republican will be elected and create a 17-16

majority in the Senate and also create a Republican majority in the judiciary committee. If a Republican is elected, the party has committed itself to call a special session and pass the neglected legislation. It is anticipated that the anti-SGM bill would be considered.

#### **OTHER AREAS OF CONCERN:**

**Alaska:** \* Monday (Mar. 9) with a boost from testimony by Lynn Wardle in person and Michael Johnston by phone, the Senate Judiciary Committee in Juneau reported a proposed state constitutional amendment that says that a marriage to be valid in Alaska "may exist only between one man and one woman." It also says "No provision of this Constitution may be interpreted to require the State to recognize or permit marriages between individuals of the same sex."

## STATUS REPORT ON TEN TARGET STATES—JAN. 30, 1997

**MONTANA:** Reached our contact, Stanley Stott, in St. George where he is vacationing until Feb. 8. Bill HB 323 (of which we have a copy) has been referred to the House Judiciary Committee and is not scheduled for hearing as of Jan. 29. (Legislature meets only in odd numbered years.)

**NEVADA:** There is no legislation pending in Nevada as of Jan. 29. Our contact, Ashley Hall, reported that Senator Rawson (LDS Stake Pres.) has agreed to introduce a bill. Bro. Hall asked for suggested wording. Lynn Wardle sent us information which we faxed to Bro. Hall, advising him that a bill specifically designed for Nevada will be ready Jan. 30.

New bills can be introduced until the last day of the session which usually runs into July. Legislature meets only in odd numbered years, so if nothing is done this year, it will have to wait until 1999.

**NEW MEXICO:** Our contact, Bill Sego, met with Republican State Committee Chairman Jan. 29. He will work to have bipartisan SSM bill sponsored. Asked for suggested draft. Sent Lynn Wardle's information to him, advising him that a bill specifically designed for New Mexico will be ready Jan. 30. New legislation can be introduced until Feb. 20. Legislature in 1998 will deal only with budget matters.

Bro. Sego is also working on an amendment to the current law permitting release-time for seminary.

**OREGON:** Our contact, Marie Bell, says that the Right To Life group, the Catholic Conference, and other groups that would be our natural allies in an anti-SSM effort are totally consumed with the task of reversing a law already on the books in Oregon that permits assisted suicide.

Marie does not think there is adequate support in the Legislature or in the general populous to pass a law prohibiting the recognition of SSM. At best it would be a major and very expensive campaign.

Marie has not heard anything about the petition drive to put an initiative on the ballot mentioned in information from David Coolidge.

**TEXAS:** Our contact, Ken Dickensheets, is still quietly investigating things. He asked for a suggested bill. He is trying to find someone to submit it. Says all is quiet, but has found other religious people who recognize the need to pass a bill this year.

Regular sessions of the Texas Legislature are held only in odd numbered years. Budget session will be held in 1998. Last date to introduce new legislation is March 14.

**VIRGINIA:** Identical bills to not recognize SSM from other states have been introduced in the Assembly (HB 1589 1-8-97) and the Senate (SB 884 1-15-97). Both bills are in committee in the House and Senate Courts of Justice as of 1-29-97. Larry Tolpi reported 1-25-97 that he was working to get these passed.

This year is Virginia's short legislative session and ends about Feb. 6.

**WASHINGTON:** Pam Roach is our new contact, working under Area Authority Steven Pond. She is a Senator and is on the Senate Judiciary Committee.

Two bills have been introduced: HB 1130 and SB 5400. Hearings are scheduled for Feb. 4, and the floor vote Feb. 11 in both houses.

Steven Pond faxed us a copy of the proposed letter to go to Stake Presidents (1/24/97) to urge Church members to write or call their senators and representatives to voice support for the pending bills.

Pam Roach says Al Gore contacted Gov. Locke and told him he wants the Governor to be his running mate in 2000. This ~~may~~ be the reason the Governor has moderated his view on this issue and has said he ~~will~~ look at the bill if it is passed. Previously he said he would veto the bill.



**WYOMING:** Our contact, Anna Marie Hales, reported that bill HB 0094 (to prohibit SSM recognition) was introduced and is out of committee. She visited with the Governor 1/24/97 and he feels the bill will pass. It is on the Senate calendar waiting for its turn on the floor (as of 1/30/97). It is being delayed because of the concentration on budget bills.

Brent Kunz (an LDS attorney) is working on it as well as his former wife, April Brimmer Kunz. Their viewpoint is good: "We're not against anything, only want to preserve marriage."

Present statutes prohibit SSM. Sister Hales sent a copy of the bill.

**SAME-SEX MARRIAGE BILLS  
1997 STATE LEGISLATIVE UPDATE**

**NOTE: This information is current as of Wednesday, January 29, 1997.  
An asterisk (\*) indicates where there has been action since January 15.**

**SUMMARY: 19 States are getting into gear: 7 bills are already moving, 7 others have been introduced, and 5 more are known to be coming. 2 other States have initiatives underway.**

**I. BILLS ALREADY MOVING**

**\*Arkansas - HB 1004 passed out by House Public Health Committee on 1/14, SB 5 heard by Senate Judiciary on 1/22 (?).**

**\*Hawai'i - HB 117, proposed Constitutional Amendment, passed House 44-7 on 1/23. SB 1800, Senate proposed Constitutional Amendment, to be heard by Senate Judiciary on 2/3.**

**\*Indiana - HB 1019 filed in House Families, Children, and Human Affairs Committee. Chair refused to hear the bill. Separate bill in Senate \_\_\_\_\_, has been introduced (and heard?)**

**\*Mississippi - SB 2053 - passed Senate Judiciary Committee unanimously 1/8 or 1/9, passed full Senate 50-0 on 1/9 or 1/10. HCR 15, a proposed Constitutional Amendment has heard in the House Constitutional Committee (Rep. John Reeves, R-Jackson, is lead sponsor.)**

**\*New Jersey - SB 1376 - passed Senate Judiciary Committee 12/96, going on to full Senate. AB \_\_\_\_\_ was heard in Assembly Health Committee on \_\_\_\_\_ and passed 1/23 by \_\_\_\_\_.**

**\*Virginia - HB 1589 introduced on January 8, heard by House Courts of Justice Committee 1/24. SB 884 also introduced on Jan 15, has 19 Senators and 17 Delegates as original co-sponsors.**

**\*Wyoming - HB 94 - pre-filed. Original co-sponsors include 8 Representatives, 5 Senators. Heard in House Labor, Health & Social Services Committee on 1/23 and passed 6-3.**

## **II. BILLS OFFICIALLY PRE-FILED OR INTRODUCED BUT NO ACTION YET**

\***Colorado** - HB 1198 introduced by Rep. Marilyn Musgrave (R-Ft. Morgan). A proposed Domestic Partnership bill is about to be introduced by Senator Pat Pascoe (D-Denver).

**Florida** - HB 147 officially pre-filed in House. Legislature reconvenes in February. *John Grant - Tampa*

\***Maryland** - HB 398 introduced by Del. Emmett Burns (D-Balt. City), 1/23? in House Judiciary. Del. Sharon Grosfeld (D-Anne Arundel) expected to introduce PRO-SSM bill shortly.

\***Minnesota** - HF 41 introduced \_\_\_\_\_ and currently in House Judiciary Subcommittee

\***Montana** - HB 323 introduced

**Nebraska** - LB 280 - introduced 1/13, "Nebraska Defense of Marriage Act." Lead sponsor: Sen. Jim Jensen (Omaha). 28 original co-sponsors. Also, Sen. Ernie Chambers has introduced a PRO-SSM bill - LB 407.

\***Washington** - HB 1130 introduced in House. SB 5398 and SB 5400 introduced 1/24 and referred to Senate Law & Justice Committee. One amends the statute legislatively; the other authorizes an initiative for voter approval (not subject to gubernatorial veto). Also, outgoing Governor Lowry expected to propose a PRO-SSM bill this week. The new Governor is thought to share the former Governor's views.

## **III. BILLS RUMORED COMING, BUT NOT OFFICIALLY AVAILABLE YET**

**Alabama** - bill to be introduced in Senate

**California** - Sen. Pete Knight plans to reintroduce his bill

**North Dakota** - bill to be introduced soon

**Texas** - bill to be introduced, reportedly by Warren Chisum (R-Pampa)

**Wisconsin** - Constitutional Amendment to be introduced in House. Also, PRO-SSM bill to be introduced by Rep. Tammy Baldwin.

## **IV. OTHER INITIATIVES**

**Maine** - petition drive given clearance, may appear on the ballot as early as 1997.

**Oregon** - petition drive underway to put initiative on the ballot for November 1998.

**V. STATES THAT HAVE ALREADY ENACTED SAME-SEX MARRIAGE LAWS**  
(enacted in 1996, unless otherwise indicated)


Alaska  
Arizona  
Delaware  
Georgia  
Hawai'i (1994)  
Idaho  
Illinois  
Kansas  
Michigan  
Missouri  
North Carolina  
Pennsylvania  
South Carolina  
South Dakota  
Tennessee  
Utah (1995)

---

This update was prepared by the Marriage Law Project, based on information from various sources on both sides of the same-sex marriage debate. Please forward corrections to David Orgon Coolidge, Director of the Project, at 202-682-1200 (PH), 202-408-0632 (FX), [mlproj@eppc.org](mailto:mlproj@eppc.org) (EMAIL).

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS  
THE SEVENTY  
47 EAST SOUTH TEMPLE STREET, SALT LAKE CITY, UTAH 84143

M E M O R A N D U M

TO: Domestic Area Presidents  
FROM: Elder Marlin K. Jensen   
DATE: March 19, 1997  
RE: Same-Gender Marriage Legislation

---

Attached, for your information, is an update giving the status of anti-HLM legislation all across our great land.

I appreciate your continuing interest and assistance with this important matter.

Encl.

## **SAME-SEX MARRIAGE BILLS 1997 STATE LEGISLATIVE UPDATE**

**NOTE: This information is current as of Tuesday, March 18, 1997.**

**\* indicates information updated from last week.**

**SUMMARY: 32 States have been active in 97: 2 have already passed legislation, 14 other bills are in progress, 10 others have been introduced without further action, 1 more is expected, 3 are dead, and 2 other States have non-legislative initiatives underway.**

### **I. BILLS ALREADY PASSED IN 1997**

**Arkansas - HB 1004** passed House 1/22 (92-2), and Senate 2/6, Governor signed 2/17.  
**SB 5** passed Senate 1/27 (34-0), and House 2/7. Governor signed 2/17.

**Mississippi - HCR 15**, proposed Constitutional Amendment passed House and Senate, signed by Governor but requires voter approval. **SB 2053** passed Senate (50-0) and House (118-3) was signed by Governor on 2/12. (SEE ALSO BILLS IN PROGRESS, BELOW)

### **II. BILLS IN PROGRESS**

**\*Alabama - SB 1** passed Senate and House Judiciary, now in full House.

**\*Colorado - HB 1198** passed House 2/20, the Senate added language recommended by Gov. Romer and passed it 3/12 (22-13). Now likely to go to conference committee. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**\*Florida - HB 147** unanimously passed the House Governmental Operations Committee on 3/5. **SB 272** passed Judiciary Committee 3/12 now in Children, Families, and Seniors.

**Hawai'i - HB 117**, proposed Constitutional Amendment, passed House 1/23 (44-7), substitute text (of SB 1800) passed Senate 2/6 (15-10). House received and rejected 2/7; both House and Senate have now appointed conferees and met for the first time on 3/3. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**Indiana - HB 1019** filed in House Families, Children, and Human Affairs Committee, killed by Chair. A new bill, **HB 1889**, has been introduced and is in the House Public Policy Committee. **SB 211**, passed Senate by 40-9 vote on 2/10. Governor has indicated will sign bill if passes.

**Iowa - HSB 37** and **SSB 114** introduced by request of Gov. Brandstad (R) and assigned to Judiciary Committee. **HSB 37** passed House Judiciary, hearing to be held soon.

**Nebraska - LB 280 "Nebraska Defense of Marriage Act."** Passed Judiciary Committee on 2/26 (7-0). (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**New Jersey - S 1376** passed Senate Judiciary Committee 12/16/96, going on to full Senate.  
**A 2193** passed the Assembly Health Committee on 1/23.

**\*New Mexico - HB 640** passed House Consumer and Public Affairs Committee on 3/7 (7-0) now it goes to Judiciary Committee. **SJR 8**, proposed Constitutional Amendment, passed Senate Judiciary without recommendation.

**\*North Dakota - SB 2230** passed Senate on 2/20 (43-6) and the House.

**Montana - HB 323** passed House 2/26 (83-16), in Senate Judiciary Committee.

**Virginia - HB 1589** passed House 2/4 (87-9), Senate 2/12 (40-0), enrolled 2/22. Governor Allen expected to sign soon. Meanwhile, **SB 884** passed Senate 2/4 (37-3), House 2/19 (81-8).

**\*Washington - SB 5398** passed Senate 2/12 (33-15), passed House 2/14 (63-35), vetoed by Governor Locke 2/21. The Senate failed to override the veto on 2/26 (26-20 vote). **SB 5400** authorizing an initiative for voter approval this June (not subject to gubernatorial veto) passed Senate committee, is eligible for second reading. **HB 1130** in House Rules Committee, may be amended with initiative language. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**\*Wisconsin - Constitutional Amendment AB 104** passed to House Children and Families Committee 3/13 (6-3). To be heard in Rules Committee on 3/18. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

### **III. BILLS PRE-FILED OR INTRODUCED BUT NO ACTION YET**

**\*California - AB 800** was introduced on 2/26 by Assembly Member Margett and **SB 911** by Sen. Pete Knight. Will likely be heard in April. (SEE ALSO PRO-SSM/DP BILLS, BELOW)

**Connecticut - SB 535** prefiled and in Senate Judiciary Committee.

**Kentucky -** No session scheduled this year, may have special session to consider **BR 143**, **BR 119**.

**Minnesota - HF 41**, **HF 16**, **HF 69** all introduced and currently in House Judiciary Subcommittee. Hearing held on 3/11 but no support in committee. **SF 11** introduced and assigned to Senate Judiciary Committee.

**\*Mississippi - HB 295** and **HB 346** are in House Judiciary Committee. (SEE ALSO BILLS PASSED, ABOVE)

**New York - A 158** introduced, referred to Assembly Judiciary on 1/8. **S 1649** introduced, referred to Senate Judiciary on 1/24.

**Ohio - HB 160** introduced in House Civil and Commercial Law Committee.

**Rhode Island - H 5808** introduced by Rep. Iannitelli on 2/4 and assigned to House Judiciary.

**Texas - HB 11** introduced by Warren Chisum (R-Pampa) and assigned to House State Affairs Committee. **SB 375** filed on 2/10.

**Vermont - HB 182** introduced, by Rep. Sheltra, in House on 1/30 and sent to Judiciary Committee, not likely to go any where with no support in committee.

#### **IV. BILLS RUMORED COMING, BUT NOT OFFICIALLY AVAILABLE YET**

**Louisiana** - Legislation likely to come this year.

#### **V. DEAD BILLS**

**Wyoming - HB 94** Passed House Labor, Health & Social Services Committee on 1/23 by 6-3 vote. Time ran out, bill is dead.

**\*Maryland - HB 398** introduced by Del. Emmett Burns (D-Balt. City), heard in House Judiciary on 3/12 then on 3/17 only got 8 of the 12 votes necessary to move it out of committee. (SEE ALSO PRO-SSM/DP BILLS, BELOW) *May not be dead, yet (?)*

**\*New Hampshire - HB 260** The House voted 3/7 (261-85) to kill the bill on.

#### **VI. PRO SSM AND/OR DOMESTIC PARTNERSHIP BILLS**

**California - AB 54**, a Domestic Partnership bill was introduced by Assembly Member Murray and referred to Judiciary Committee. Hearing expected in mid-March. **AB 1059**, a DP health benefit bill has been introduced by Assembly Member Migden.

**Colorado** - A proposed Domestic Partnership bill is about to be introduced by Senator Pat Pascoe (D-Denver).

**Hawai'i - Reciprocal Beneficiaries bill, HB 118**, passed House 1/24 (47-4); revised and dramatically expanded version passed Senate 2/6 (15-10). Now in conference committee.

**\*Maryland** - Del. Sharon Grosfeld (D-Montgomery) has introduced **HB 609**, a PRO-SSM bill in Judiciary Committee, heard on 3/12.

**Nebraska** - Sen. Ernie Chambers's PRO-SSM bill, **LB 407**. Was indefinitely postponed in Judiciary Committee on 2/19.

**Rhode Island - H 5899** introduced by Rep. Pisaturo on 2/4 and assigned to House Judiciary.